

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 2/15/95

FM FBI WMFO (46A-WF-179870 SUB UU) (P)

TO DIRECTOR FBI/ROUTINE/
 FBI CINCINNATI/ROUTINE/
 FBI CLEVELAND/ROUTINE/
 FBI DALLAS/ROUTINE/
 FBI DENVER/ROUTINE/

BT

UNCLAS

CITE: //3920//

b6

PASS: SSA [REDACTED] WCCS, PCU, FBIHQ

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SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO:WMFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS
 ARMED AND DANGEROUS - SUBJECT CARRIES A HANDGUN
 RE 10/14/94 TELETYPE FROM WMFO TO CLEVELAND, 2/7/95,
 TELETYPE FROM WMFO TO CINCINNATI AND NUMEROUS OTHER WRITTEN
 COMMUNICATIONS BETWEEN WMFO AND THE CLEVELAND AND CINCINNATI

46A-WF-179870-UU
SEARCHED INDEXED*[Signature]*

-222

Approved: WKG/DK/ky Original filename: /es001w.046Time Received: _____ Telprep filename: /es001s2,046MRI/JULIAN DATE: 1369 1370/040 ISN: 029 030FOX DATE & TIME OF ACCEPTANCE: 2/15/95 10:126 1:26 KHL

[^]PAGE 2 WMFO (46A-WF-179870 SUB UU) UNCLAS

DIVISIONS, 2/10/95 TELCALL BETWEEN SA [REDACTED]

CINCINNATI DIVISION, MIDDLETOWN RA, AND SA [REDACTED]

[REDACTED] WMFO, NVMRA, AND 2/14/95 TELCALLS BETWEEN SA [REDACTED] AND

SSA [REDACTED] DALLAS DIVISION, SSA [REDACTED]

DENVER DIVISION, AND SSRA [REDACTED] CLEVELAND DIVISION,

AKRON RA.

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ADMINISTRATIVE: SUBJECT [REDACTED] IS KNOWN TO CARRY A .45 CALIBRE HANDGUN OR KEEP A HANDGUN IN THE DESK DRAWER OF HIS OFFICE. [REDACTED] IS ALSO CONSIDERED TO BE A SUSPECT IN THE OCTOBER, 1990, MURDER OF HIS BUSINESS PARTNER, HENRY WHITESELL. ACCORDINGLY, [REDACTED] SHOULD BE CONSIDERED ARMED AND DANGEROUS.

FOR INFORMATION OF THE BUREAU AND RECEIVING OFFICES, SUBJECT [REDACTED] AND HENRY WHITESELL OPERATED A CHAIN OF PROPRIETARY SCHOOLS IN OHIO UNDER THE NAME OF CAMBRIDGE TECHNICAL INSTITUTE (CTI). CTI MADE A PRACTICE OF RECRUITING PROSPECTIVE STUDENTS OUT OF WELFARE LINES, SOUP KITCHENS, AND OTHER LOW INCOME AREAS. CTI WOULD APPLY FOR FEDERAL FINANCIAL AID FOR THE RECRUITED STUDENTS IN THE FORM OF PELL GRANTS AND GUARANTEED STUDENT LOANS (GSL). WHEN THE FINANCIAL AID

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PAYMENTS ARRIVED, CTI WOULD PROVIDE A SMALL PORTION OF THE FUNDS TO THE STUDENTS BUT KEEP THE REMAINDER OF THE MONEY TO ALLEGEDLY COVER TUITION, FEES, AND OTHER EXPENSES. ONCE THE STUDENTS RECEIVED THEIR PORTION OF THE FINANCIAL AID MONEY, THEY GENERALLY DROPPED OUT OF SCHOOL AND DID NOT RETURN. CTI WAS OBLIGATED TO REFUND FINANCIAL AID FUNDS FOR STUDENTS WHO SUBSEQUENTLY LEFT SCHOOL. HOWEVER, CTI FAILED TO MAKE SUCH REQUIRED REFUNDS. CTI FRAUDULENTLY COLLECTED MILLIONS OF DOLLARS IN THE ABOVE-STATEMENT MANNER. WHITESELL AND [REDACTED] RECEIVED EXORBITANT SALARIES FROM CTI WHICH WERE FINANCED BY THE FINANCIAL AID MONIES CTI WAS RECEIVING ON BEHALF OF ITS ALLEGED STUDENTS. WHITESELL'S SALARY AVERAGED APPROXIMATELY \$1 MILLION PER YEAR.

EVENTUALLY, THE U.S. DEPARTMENT OF EDUCATION (DOE) AND STATE AND LOCAL REGULATORY AGENCIES CAUGHT ON TO THE SCAM BEING OPERATED BY WHITESELL AND [REDACTED] THROUGH CTI. THE OHIO ATTORNEY GENERAL'S OFFICE AND THE LEGAL AID SOCIETY IN CINCINNATI, OHIO, FILED LAWSUITS AGAINST CTI. IN AUGUST, 1990, THE DOE CONDUCTED AN UNANNOUNCED AUDIT OF CTI. DURING THE DOE AUDIT, CTI EMPLOYEES WERE DIRECTED BY WHITESELL AND

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[REDACTED] TO CREATE FALSE RECORDS TO DECEIVE THE DOE REVIEWERS INTO BELIEVING THAT STUDENTS FOR WHICH CTI HAD COLLECTED FINANCIAL AID HAD ACTUALLY ATTENDED CTI DURING THE TIME PERIODS FOR WHICH THE FUNDS WERE DRAWN. IN AN ATTEMPT TO COMBAT THE PROCEEDINGS AGAINST CTI, [REDACTED]

CONTACTED U.S.

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CONGRESSMAN DONALD E. "BUZ" LUKENS FOR ASSISTANCE. LUKENS AGREED TO HELP BUT INDICATED THAT HE WOULD NEED TO BE PAID FOR HIS EFFORTS. [REDACTED] MADE FOUR PAYMENTS TO LUKENS

TOTALLING \$20,000.00 FROM MAY, 1990, TO SEPTEMBER, 1990.

WHITESELL MADE A \$7,500.00 PAYMENT TO LUKENS IN MAY, 1990. IN RETURN, LUKENS DIRECTED ONE OF HIS STAFFERS TO ASSIST

[REDACTED] IN HIS EFFORTS TO STOP THE LEGAL PROCEEDINGS AGAINST CTI. LUKENS HIMSELF CONTACTED THE DOE AND ATTEMPTED TO INTERCEDE DURING THE AUGUST, 1990 AUDIT.

DURING OCTOBER, 1990, WHITESELL WAS MURDERED. THE MURDER IS STILL UNSOLVED. [REDACTED] HAS AN AIRTIGHT ALIBI FOR HIS WHEREABOUTS AT THE TIME OF WHITESELL'S MURDER. HOWEVER,

[REDACTED] IS SUSPECTED OF POSSIBLY DIRECTING THAT WHITESELL BE KILLED. SINCE WHITESELL'S MURDER, [REDACTED] HAS

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MAINTAINED THAT WHITESELL WAS RESPONSIBLE FOR ALL THE IMPROPRIETIES THAT OCCURRED AT CTI.

THE U.S. DEPARTMENT OF JUSTICE (DOJ) INTENDS TO SEEK INDICTMENTS OF [REDACTED] AND LUKENS ON FRIDAY, 2/17/95.

[REDACTED] AND LUKENS WILL BE CHARGED WITH MULTIPLE COUNTS OF BRIBERY AND CONSPIRACY. ARREST WARRANTS WILL BE ISSUED FOR [REDACTED]

[REDACTED] AND LUKENS. THE INDICTMENTS WILL BE SEALED UNTIL

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THE SUBJECTS ARE APPREHENDED. LUKENS IS CONSIDERED TO BE A FLIGHT RISK WHILE [REDACTED] IS CONSIDERED TO BE ARMED AND DANGEROUS. WMFO WOULD LIKE TO COORDINATE SIMULTANEOUS ARRESTS OF [REDACTED] AND LUKENS SO AS TO MINIMIZE THE OPPORTUNITY FOR EITHER SUBJECT TO INFORM THE OTHER OF THE EXISTENCE OF THE ARREST WARRANTS. A DECISION CONCERNING THE TIMING OF THE ARRESTS HAS NOT YET BEEN MADE. WMFO WILL IMMEDIATELY ALERT ALL APPROPRIATE OFFICES WHERE ARREST PLANS ARE FINALIZED.

[REDACTED] OPERATES A SCHOOL CALLED BOHECKER'S BUSINESS COLLEGE (BBC) IN RAVENNA, OHIO. HE HAS A RESIDENCE IN MIDDLETOWN, OHIO. LUKENS APPARENTLY RESIDES IN EITHER DALLAS, TEXAS, OR LITTLETON, COLORADO. IT IS REQUESTED THAT OFFICES RECEIVING LEADS DISCREETLY ATTEMPT TO ASCERTAIN WHETHER

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SUBJECTS ARE PRESENTLY LOCATED AT THE ADDRESSES PROVIDED IN THE FOLLOWING LEADS. NO ACTION SHOULD BE UNDERTAKEN AT THIS TIME WHICH MIGHT ALERT [REDACTED] OR LUKENS THAT THE FBI IS LOOKING FOR THEM.

THE FOLLOWING DESCRIPTIVE DATA PERTAINS TO [REDACTED]

NAME - [REDACTED] RACE - WHITE; SEX - MALE; DOB

[REDACTED] POB - MIDDLETOWN, OHIO; SSAN - [REDACTED]

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HEIGHT - 5'5"; WEIGHT - 150 POUNDS; HAIR - BROWN; EYES - BROWN. [REDACTED] ALLEGEDLY WEARS A HAIRPIECE. [REDACTED]

IS MARRIED TO [REDACTED] AND HAS TWO CHILDREN.

[REDACTED] GIRLFRIEND IS [REDACTED]

THE FOLLOWING DESCRIPTIVE DATA PERTAINS TO LUKENS:

NAME - DONALD EDGAR "BUZ" LUKENS; RACE - WHITE; SEX - MALE; DOB 2/11/31; SSAN - 286-28-8739; HEIGHT - APPROXIMATELY 5'11"; WEIGHT - APPROXIMATELY 165 POUNDS.

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ANY QUESTIONS CONCERNING THIS MATTER SHOULD BE DIRECTED TO SA [REDACTED], WMFO, NVMRA, AT TELEPHONE NUMBER [REDACTED] OR DIGITAL PAGER NUMBER [REDACTED]

LEAD:

CINCINNATI DIVISION:

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AT MIDDLETOWN, OHIO:

WILL DISCREETLY ATTEMPT TO ASCERTAIN WHETHER [REDACTED]

[REDACTED] CURRENTLY RESIDES AT 4420 NELSON ROAD, MIDDLETOWN,
OHIO, TELEPHONE NUMBER [REDACTED] IN AN INTERVIEW,

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[REDACTED] STATED THAT HE STAYS IN RAVENNA, OHIO, DURING THE
WEEK BUT RETURNS TO HIS RESIDENCE IN MIDDLETOWN ON THE
WEEKENDS.

CLEVELAND DIVISION:

AT RAVENNA, OHIO:

WILL DISCREETLY ATTEMPT TO ASCERTAIN WHETHER [REDACTED]

[REDACTED] IS CURRENTLY IN RAVENNA, OHIO, AT EITHER
BOHECKER'S BUSINESS COLLEGE, 161 EAST MAIN STREET, RAVENNA,
OHIO 44266, TELEPHONE NUMBERS [REDACTED] OR [REDACTED]
[REDACTED] OR [REDACTED], RAVENNA, OHIO 44266. [REDACTED]

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[REDACTED] PROVIDED [REDACTED] AS HER ADDRESS, AND
[REDACTED] APPARENTLY LIVES WITH [REDACTED].

DALLAS DIVISION:

AT DALLAS, TEXAS:

WILL DISCREETLY ATTEMPT TO ASCERTAIN WHETHER FORMER U.S.
CONGRESSMAN DONALD E. LUKENS IS CURRENTLY LOCATED AT 5444

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**PETERSON LANE, #1035, DALLAS, TEXAS 75240, TELEPHONE NUMBER
(214) 702-9159.**

DENVER DIVISION:

AT DENVER, COLORADO:

**WILL DISCREETLY ATTEMPT TO ASCERTAIN WHETHER FORMER U.S.
CONGRESSMAN DONALD E. LUKENS IS CURRENTLY LOCATED AT 3 SCOTT
PINES, LITTLETON, COLORADO 80127.**

ARMED AND DANGEROUS

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/7/95

[redacted] nee: [redacted] was telephonically contacted at her place of employment, LINCOLN PROPERTIES, 1941 Hidden Lake Drive, Stow, Ohio, telephone number: [redacted] was formerly employed by CAMBRIDGE TECHNICAL INSTITUTE (CTI) and BOHECKER'S BUSINESS COLLEGE (BBC). After being advised of the identity of the interviewing agent and the nature of the interview, [redacted] provided the following information:

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[redacted] was born on [redacted] in Cincinnati, Ohio. Her Social Security Account Number (SSAN) is [redacted]. Her Ohio Driver's License number is [redacted] resides at [redacted], Stow, Ohio, telephone number: [redacted]. [redacted] informed that STOW is about 20 minutes from Ravenna, Ohio.

[redacted] advised that, prior to her employment with CTI and BBC, she worked through the [redacted] temporary employment agency. She worked at CTI and was offered a permanent position. [redacted] began working permanently for CTI and/or BBC around 1989. [redacted] stated that she initially worked in the corporate office of CTI/BBC, assisting [redacted], who was the Vice-President of Financial Operations. [redacted] performed bookkeeping functions. She posted financial aid monies received for students in the form of Guaranteed Student Loans (GSLs) and Pell Grants. [redacted] deducted appropriate fees and expenses from the student's accounts. [redacted] assisted [redacted] in the preparation of financial reports. [redacted] stated that she never made calls to get Pell funds transferred into the accounts of CTI or BBC. [redacted] commented that she was initially on the BBC payroll and received her paycheck from BBC. At some point, [redacted] was switched to the CTI payroll and worked at the CTI campus in Cincinnati, Ohio. She later returned to work for BBC at the CTI/BBC corporate office and was put back on the BBC

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b7CInvestigation on 1/25/95 at FALLS CHURCH, VIRGINIA File # 46A-WF-179870 SUB UU-223by SA [redacted]

J:cd

Date dictated 1/31/95

46A-WF-179870 SUB UU

Continuation of FD-302 of [redacted]

, On 1/25/95 , Page 2

payroll. [redacted] eventually became a financial aid administrator for BBC, first at the BBC school in Middletown, Ohio, and later at BBC's location in Ravenna, Ohio. [redacted]'s employment dates with BBC and CTI extended from approximately 1989 through November, 1992.

[redacted] stated that she sometimes helped students at CTI and BBC fill out applications for financial aid. When she assisted with these functions, [redacted] worked out of offices at the various schools of CTI and BBC. [redacted] stated that she also performed evaluations to determine whether prospective students qualified for financial aid.

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[redacted] was asked about problems she observed while working at CTI and BBC. She indicated that BBC did not seem to have many problems. However, there were several problems she observed at CTI. [redacted] advised that CTI did not send out GSL refund checks (for students who had dropped out of CTI) on a timely basis. [redacted] stated that she would type up checks for the GSL refunds, but the checks would be held instead of being sent back to the lending organizations. [redacted] advised that they would be authorized to type up the refund checks but not to send them. The checks would contain dates and be stamped with the signature of HENRY WHITESELL. [redacted] would provide the completed checks to [redacted]. WHITESELL would tell [redacted] not to send out the GSL refund checks. It was [redacted] understanding that the GSL refund checks could not be sent out because there were not sufficient funds available to cover the checks.

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[redacted] stated that, at one point, she became so concerned about CTI's failure to send out GSL refund checks in a timely manner that she contacted some type of regulatory authority about the problem. She could not recall the specific identity of the organization. [redacted] thought the entity might have had a name like the Guaranteed Student Loan Organization or Federal Student Aid. [redacted] stated that her greatest concern was that, because the GSL refund checks were dated, she personally could be held responsible for not sending out the refund checks on time.

46A-WF-179870 SUB UU

Continuation of FD-302 of [redacted], on 1/25/95, Page 3

[redacted] advised that WHITESELL collected Pell Grant monies for "Enter Only" students at CTI. She explained that an "Enter Only" student was an individual who only showed up at school for just one day. The school was not supposed to draw Pell Grant funds for students that quit after one day. However,

[redacted] observed WHITESELL drawing Pell monies for full quarters for "Enter Only" students. [redacted] cited an instance in which WHITESELL made her stay late in the evening to help with the books. [redacted] had left and was no longer employed at CTI.

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[redacted] observed WHITESELL pulling Pell Grant money on a person who was no longer in school. [redacted] watched while he posted the amount drawn to a big journal. [redacted] stated that she told WHITESELL he was not allowed to draw Pell money for a student who was an "Enter Only". WHITESELL did it anyway. [redacted] stated that she just threw up her hands and said something to the effect of, "well, it's your company." [redacted] advised that WHITESELL was taking Pell monies for several students in the aforementioned manner. [redacted] stated that she only observed WHITESELL improperly drawing Pell Grant funds on the one occasion she described. [redacted] stated that she and WHITESELL were the only people present in the office. She did not challenge WHITESELL's actions more vehemently, because she felt she could not afford to lose her job. [redacted] stated that she was not aware of the extent of [redacted] knowledge or possible involvement in drawing Pell Grant funds to which the schools were not entitled.

[redacted] advised that she told [redacted] about the above-stated incident in which she witnessed WHITESELL improperly claiming Pell Grants for "Enter Only" students. [redacted] did not think [redacted] told [redacted] about the incident.

[redacted] informed that she had experienced some problems with WHITESELL of a personal nature. She stated that WHITESELL had asked her out for dinner. [redacted] declined his invitation. After that, WHITESELL "wrote her up" for allegedly being rude to an official with the OHIO STUDENT LOAN COMMISSION (OSLC).

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[redacted] claimed the allegations made against her by WHITESELL were false. She thought WHITESELL reprimanded her so that he would have something to use against her if she decided to file harassment charges against him. [redacted] indicated that she might have saved the document written by WHITESELL accusing her of rude

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Continuation of FD-302 of [redacted], On 1/25/95, Page 4

behavior toward the OSLC official. In addition to the written reprimand, WHITESELL had [redacted] transferred to a CTI school and later moved her back to the corporate office. She felt the transfers were punishment for her refusal to go out with WHITESELL.

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[redacted] admitted that CTI recruited persons to enroll at the schools who were not capable students. [redacted] advised that CTI recruiters would go stand near welfare lines and attempt to recruit students from those locations. The rationale for recruiting individuals from welfare lines was that they knew the persons would qualify to receive financial aid such as Pell Grants. [redacted] stated that CTI basically recruited students from anywhere and did not appear to have any standards for admittance.

[redacted] commented that the philosophy at CTI seemed to be to just get as many students enrolled as possible without regard to the student's abilities. [redacted] thought bonuses were paid to recruiters for bringing in certain numbers of students.

[redacted] stated that recruits were told they would be paid money to go to school. A figure of \$433.00 stood out in [redacted]'s mind as an amount of money that was customarily paid to students after tuition, fees and other costs were deducted from their financial aid monies. [redacted] stated that the CTI students were not informed by the recruiters that student loan funds they received were required to be paid back to the lending institutions.

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[redacted] recalled countless students coming into her office and saying, "Where's my check," to demand the money they were entitled to after tuition and fees had been deducted from their financial aid monies. [redacted] estimated that she typed up thousands of such checks for students. [redacted] commented that most of the students at CTI dropped out of school after they received their checks for their portions of the financial aid funds. [redacted] was asked who was responsible for CTI's recruitment philosophy. She responded that WHITESELL was in charge of the school. She stated that she thought [redacted] was told what to do by WHITESELL. [redacted] then admitted that she honestly did not know who was making the decisions at the top management level regarding how CTI conducted business.

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Continuation of FD-302 of [redacted], On 1/25/95, Page 5

[redacted] cited an instance which illustrated the fact that CTI recruited students who did not possess the capabilities to complete the academic programs they were in. [redacted] recalled walking down the street one day. She saw a beggar on the side of the street. [redacted] recognized the man as a former student at CTI. The man had deformed hands. However, the man had been enrolled in a data entry program at CTI, a curriculum he was unable to handle with his physical handicap.

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[redacted] was asked about CTI's procedure for obtaining student endorsements on GSL checks. [redacted] stated that the checks were usually signed by the students in the classrooms where they were taking courses. [redacted] was not aware of means used by CTI to obtain signature endorsements on GSL checks for students who had dropped out of school prior to signing their checks. She was not aware of endorsements being forged on such checks.

[redacted] was questioned about her knowledge of a program review conducted by the UNITED STATES DEPARTMENT OF EDUCATION (DOE) at CTI during August, 1990. [redacted] advised that she was working at the Middletown, Ohio, school of BBC at the time. No auditors came to that location to her knowledge. [redacted] stated that she was not brought down to the CTI corporate office to assist with the preparation of records for the DOE program review.

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[redacted] stated that she heard about an effort to falsify records to deceive WHITESELL. [redacted] explained that WHITESELL apparently tried to stall the DOE reviewers so that records could be created to justify improper draws of financial aid money by CTI. [redacted] allegedly told WHITESELL he was going along with his plan to create false records. However, [redacted] kept the real files. [redacted] tried to turn the original files over to the FEDERAL BUREAU OF INVESTIGATION (FBI). The FBI did not take any action against WHITESELL. [redacted] was not clear from what source she learned the foregoing information. She thought she may have been told about the records creation situation by [redacted] or may have learned about it through a news report broadcast on the CABLE NEWS NETWORK (CNN). [redacted] was not sure when she learned about the efforts to create false records. She indicated that she heard about it after the fact but could not recall whether it was before or after WHITESELL's death.

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Continuation of FD-302 of [redacted], On 1/25/95, Page 6

[redacted] advised that [redacted] had rented an apartment and was running BBC out of that location. [redacted] had taken all of the actual CTI files out of CTI's offices and was keeping them as evidence for the FBI. [redacted] thought [redacted] told WHITESELL he had destroyed the original CTI records. [redacted] stated that she went to the rented apartment on one occasion to do work. She typed payroll checks while she was at the apartment.

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[redacted] stated that she had no involvement in the above stated effort to create fictitious CTI records. [redacted] mentioned that [redacted] and [redacted] were involved in the falsification effort, as were [redacted] and [redacted]. She recalled [redacted] saying he was not going to falsify records. [redacted] also recalled that [redacted] and [redacted] told WHITESELL they were going along with his plan when secretly they were plotting to turn him in. [redacted] was asked how she knew the foregoing information. She responded that she learned it by watching interviews of [redacted] and [redacted] on the CNN report.

[redacted] advised that she had spoken with [redacted] about the DOE program review at CTI. [redacted] told her that they were forced to stay at the CTI corporate offices for days and were not allowed to leave. According to [redacted] the intense work schedule was necessary because DOE was coming in and they "had to make the records look right." [redacted] also told [redacted] that [redacted] had called the FBI, and the FBI was supposed to arrest WHITESELL. WHITESELL was never arrested and was later murdered. [redacted] stated that [redacted] did not say anything to her about contacting the FBI and/or implicating WHITESELL. [redacted] advised that she did not talk much with [redacted] or have much to do with him. [redacted] was [redacted] boss, so she talked to [redacted] much more often.

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[redacted] stated that she had heard [redacted] had cancer of the lymph nodes. She stated that [redacted] told her [redacted] had cancer or was probably being tested for cancer. [redacted] though [redacted] cancer was first mentioned around the time of the DOE program review.

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Continuation of FD-302 of [redacted], On 1/25/95, Page 7

[redacted] advised that some of the student ledger cards shown on the CNN feature had her handwriting on them. [redacted] posted amounts for tuition and fees on the cards. She advised that WHITESELL posted Pell Grants and GSLs. WHITESELL prepared the yellow post-it notes telling CTI employees what quarters to show students in attendance to justify the receipt of financial aid monies by CTI. [redacted] stated that she was not interviewed by CNN reporters. [redacted] has a copy of the CNN tape.

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[redacted] informed that she did not save any documents or records relating to her employment with CTI. The one exception was that she might have kept the document by which WHITESELL reprimanded her for allegedly being rude to an OSLC official.

[redacted] stated that she had no knowledge of former U.S. Congressman DONALD "BUZ" LUKENS or LUKENS' relationship with [redacted] CTI, or BBC.

At the end of the interview, [redacted] stated that she really did not have much direct knowledge of what went on behind-the-scenes at CTI. She commented that maybe people like [redacted] just told her what they wanted her to hear or know.

[redacted] stated that [redacted] had recently called her to tell her the FBI might be contacting her. [redacted] said she mentioned [redacted] name during testimony in a court proceeding. [redacted] described [redacted] as a friend whom she talks to from time to time.

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[redacted] advised that she last spoke to [redacted] before Christmas, 1994. [redacted] stopped in to BBC in Ravenna, Ohio, to say "Hi."

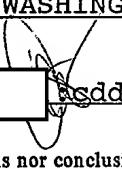
- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/7/95

On February 1, 1995, [redacted] was contacted at her place of employment, LINCOLN PROPERTIES, 1941 Hidden Lake Drive, Stow, Ohio, telephone number: [redacted] was contacted to determine whether she had made travel arrangements for her scheduled Grand Jury appearance in Washington, D.C., on [redacted] and to possibly schedule an interview prior to [redacted] b3
the appearance. [redacted] stated that she did not want to be b6
interviewed and would show up at the Grand Jury at [redacted] on [redacted] b7C
[redacted] was asked whether she had spoken to [redacted] or [redacted] following her interview with the FEDERAL BUREAU OF INVESTIGATION (FBI) on January 25, 1995.
[redacted] confirmed that she had in fact called [redacted] and/or [redacted] on the evening of January 25, 1995, after she was interviewed by the FBI. [redacted] claimed that she felt it was necessary to call [redacted] and/or [redacted] because she was scared because she had experienced trouble in verifying the identity of the interviewing FBI Special Agent.

Investigation on 2/1/95 at WASHINGTON, D.C. File # 46A-WF-179870 SUB UU 224

by SA [redacted]
AsddDate dictated 2/1/95

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RR RUCNFB FBICI FBICV FBIDL FBIWMFO

DE FBIDN #0001 0480320

ZNR UUUUU

R 170135Z FEB 95

FM FBI DENVER (46A-WF-179870 SUB UU) (P)

TO DIRECTOR FBI/ROUTINE/

FBI CINCINNATI/ROUTINE/

FBI CLEVELAND/ROUTINE/

FBI DALLAS/ROUTINE/

FBI WMFO/ROUTINE/

BT

UNCLAS

CITE: //3210//

PASS: SSA [REDACTED] WCCS, PCU, FBIHQ.

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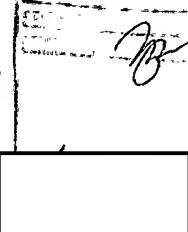
SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO: WMFO.

SUBJECT [REDACTED] IS KNOWN TO CARRY A
HANDGUN AND SHOULD BE CONSIDERED ARMED AND DANGEROUS; SUBJECT
DONALD E. "BUZZ" LUKENS, FORMER U. S. CONGRESSMAN, IS
CONSIDERED A FLIGHT RISK.

46A-WF-179870 UU-225

96 11 06 PM '95

FEB 16 1995



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PAGE TWO DE FBIDN 0001 UNCLAS

RE WMFO TELETYPE TO THE DIRECTOR, DATED FEBRUARY 15, 1995, AND DENVER TELCALS WITH WMFO, FEBRUARY 15, 1995 AND FEBRUARY 16, 1995.

BY REFERENCED WMFO TELETYPE, DENVER WAS ADVISED THAT SUBJECT LUKENS MIGHT CURRENTLY BE LOCATED AT 3 SCOTCH PINE, LITTLETON, COLORADO 80127. DENVER WAS REQUESTED TO DISCRETELY ATTEMPT TO ASCERTAIN WHETHER SUCH IS THE CASE.

REAL ESTATE RECORDS SHOW 3 SCOTCH PINE IS OWNED BY [REDACTED]

[REDACTED] AS OF JULY, 1989. PUBLIC SERVICE COMPANY (THE LOCAL UTILITY COMPANY) ALSO REFLECT THIS. b6 b7C
TELEPHONE SERVICE AT THE RESIDENCE IS CURRENTLY IN THEIR NAME, WITH THE NUMBER LISTED AS [REDACTED] THE TELEPHONE DIRECTORY ALSO INDICATES THAT [REDACTED] IS AN ATTORNEY WITH AN OFFICE AT 3773 CHERRY CREEK NORTH DRIVE, DENVER, [REDACTED] DISCREET OBSERVATIONS WERE MADE AT THE RESIDENCE AND NO VEHICLES OR INDIVIDUALS HAVE YET BEEN OBSERVED. AN AGENT IN THE DENVER DIVISION LIVES IN THE IMMEDIATE AREA AND WILL BEGIN REGULAR DISCREET SPOT CHECKS.

DENVER IS AWARE THAT INDICTMENT IN THIS MATTER MAY BE SLIGHTLY DELAYED AND WILL CONTINUE WITH DISCREET OBSERVATION AND INQUIRIES AND MAINTAIN CONTACT WITH OO.

PAGE THREE DE FBIDN 0001 UNCLAS

SUBJECT [REDACTED] IS CONSIDERED ARMED AND DANGEROUS;

SUBJECT LUKENS IS CONSIDERED TO BE A FLIGHT RISK.

b6
b7C

BT

#0001

NNNN

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/16/95

[redacted] dob [redacted], SSN [redacted] was interviewed at her residence [redacted], Middletown, Ohio, telephone [redacted]. She is known as [redacted] and is divorced from [redacted]. She was advised of the identity of the interviewing agent and the purpose of the interview.

From 8/88 through 1/89, [redacted] was an employee of b6 CAMBRIDGE TECHNICAL INSTITUTE's (CTI) Middletown day care center, an entity known as CAMBRIDGE CHILD CARE (CCC). At that time, she was married to [redacted], who was also a CTI employee. She was asked to help at CCC by [redacted] wife of one of CTI's officers, [redacted] supervised the morning and afternoon child care sessions; [redacted] had financial control issuing CCC's payroll and expense checks.

[redacted] quit CCC in 1989 because of threats and abuse received from CTI students in response to [redacted] complaints about many mothers, who were enrolled for morning classes, leaving their children at CCC for the entire day.

[redacted] also noted that the CCC was full of children at the start of a CTI quarter, but was sometimes empty for the afternoon sessions as the quarter progressed. This phenomenon would repeat at the start of a new quarter.

While [redacted] worked there, she did not believe her family had any financial interest in CCC. A couple of years ago, [redacted] said he had problems with the INTERNAL REVENUE SERVICE because of CCC. [redacted] does not know how he incurred this liability.

[redacted] does not know what official position her b6 former husband, [redacted], held at CTI. He was personally b7C recruited at CTI by [redacted], with whom he had worked with at a Cincinnati area school called SOUTHEASTERN, prior to [redacted] four year military enlistment. After completing college, [redacted] had worked as a substitute teacher at SOUTHEASTERN.

To [redacted] knowledge, [redacted] never received an automobile from CTI or any additional \$20,000 check. She recalls he received a smaller bonus in 1988 in reward for employee performance.

Investigation on 2/13/95 at Middletown, Ohio File # 46A-WF-179870 Sub UU-226

by SA [redacted] reh Date dictated 2/16/95

46A-WF-179870 Sub UU

Continuation of FD-302 of SA [redacted], On 2/13/95, Page 2

[redacted] often expressed frustration that CTI recruited many illiterate students who were incapable academic work. He also mentioned that CTI management engaged in unspecified "funny activities." He also mentioned that too many students missed too many classes.

b6
b7C

[redacted] assumed CTI attendance records were probably adjusted to cover up the attendance problem. CTI recruited "students" just for their financial aid checks; every student received some aid package. [redacted] acknowledged to her that many missing students would reappear in conjunction with the issuance of federal guaranteed student loan checks. [redacted] acknowledged that CCC attendance patterns confirm this.

[redacted] was under a lot of stress during the period of the DEPARTMENT OF EDUCATION (DOE) audit. For about one month, [redacted] worked sixteen hour days from 8am to midnight; his usual workday never went past 8pm. She does not know what [redacted] and the other CTI officials were doing for the DOE audit. [redacted] said this stress hurt their marriage.

[redacted] and [redacted] had a relationship for twelve years and were married for five years. They separated in 8/89 and were divorced in 1990. They still have an amicable relationship.

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b7C

[redacted] knows of no threats made to CTI employees. [redacted] did say that [redacted] (LAST NAME UNKNOWN - LNU) was "in a lot of trouble." [redacted] LNU, who later died of a heart attack IN 1989 or 1990, supervised [redacted] work and reported directly to [redacted] LNU's wife, a licensed barber working in Middletown's City Centre Mall, might be helpful in a CTI investigation.

[redacted] never had any relationship with [redacted]. While working for CTI, she never had any reason to think of him as anything but a reputable businessman.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/15/95

[redacted] is the former Director for CAMBRIDGE TECHNICAL INSTITUTE (CTI) - Dayton, Ohio, Campus. He resides at [redacted] Middletown, Ohio, telephone [redacted]. He was interviewed in the presence of his wife, [redacted] who was her husband's unpaid clerical assistant during the period of 1988-90. [redacted] was advised of the identity of the interviewing agent and provided the following information:

b6
b7C

[redacted] was employed at the CTI - Dayton Campus until the summer of 1990. [redacted] unexpectedly dismissed him one afternoon following the date of the Department of Education audit of CTI and before the date of CTI's closing. Prior to departing their office at CTI's Dayton Campus, the [redacted] loaded a brown file storage box with a large black binder, two manila file folders, one red file folder and a brown folder. These contain some CTI - Dayton student and financial records from the period of 1988-90.

[redacted] advised that every student appearing on the 1988-90 CTI - Dayton Campus rosters was enrolled and had their financial aid applications approved.

Using different colored magic markers, [redacted] has color coded the CTI - Dayton Campus semester roster reflecting the student's status as follows:

GREEN - Enter Only (Just one class)
YELLOW - Dropped Out
ORANGE - Completed Quarter

b6
b7C

Subsequent to CTI's closing, the [redacted] received a red binder from [redacted] another CTI employee. This binder contains [redacted] analysis of CTI checks issued during 1988-89. The [redacted] placed this folder with the other CTI documents in the brown file storage box.

Investigation on 2/13/95 at Middletown, Ohio File # 46A-WF-179870 Sub UU-227

by SA [redacted] reh Date dictated 2/15/95

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/15/95

[redacted] is the former Campus Director for CAMBRIDGE TECHNICAL INSTITUTE's (CTI), Dayton, Ohio, campus. He resides at [redacted]

[redacted] Middletown, Ohio, telephone [redacted]
He was advised of the identity of the interviewing agent and provided the following documents:

1 - Black binder containing CTI - Dayton's 1988-90 Class Rosters;

1 - Red binder containing CTI's Monthly Check Disbursements for the period 1988-89;

2 - Manila folders labeled [redacted]" containing this student's financial and academic records;

1 - Red folder containing lists of CTI - Dayton students records forwarded to CTI's Corporate Office, Cincinnati, Ohio, and b6

1 - Brown folder containing loosely filed CTI - Dayton's b7C 1988-90 Class Rosters.

[redacted] was provided with an FD-597 (Receipt for Property Received) acknowledging his release of the above described material.

Investigation on 2/13/95 at Middletown, Ohio File # 46A-WF-179870 Sub UU-228

by SA [redacted] reh Date dictated 2/15/95

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 2/16/95

TO : SAC, WMFO (46A-WF-179870 SUB UU)
 (ATTN: SA [redacted] Sq. C-9, Tysons Corner RA)

FROM : SAC, CINCINNATI (46A-WF-179870) (MRA)

SUBJECT : BIG BOUNCE;
 MAJOR CASE #55;
 OO: WMFO

b6
b7CARMED AND DANGEROUS - SUBJECT CARRIES A HANDGUN

Reference WMFO teletype to Cincinnati, dated
 2/6/95.

Enclosed for WMFO are the following:

1. The original and two copies of an FD-302 of an interview with [redacted] with an FD-340 containing interview notes.

2. The original and two copies of an FD-302 of an interview with [redacted] with an FD-340 containing interview notes.

3. The original and two copies of an FD-302 documenting receipt of property from [redacted] with an FD-340 containing a Receipt for Property Received.

4. One Black binder containing CAMBRIDGE TECHNICAL INSTITUTE (CTI) - Dayton Campus' 1988-90 Class Rosters.

5. One Red binder containing CTI's Monthly Check Disbursements for the period 1988-89.

(3) - WMFO (Encl. 18)
 2 - Cincinnati
 REH:reh
 (5)

46A-WF-179870 04-229

m
m
m

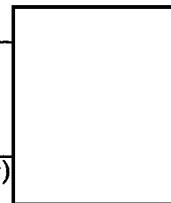
2

Approved: TJ/fk

Transmitted

(Number)

Per



46A-WF-179870 SUB UU

6. Two Manila folders labeled [redacted] containing this student's financial and academic records.

7. One Red folder containing lists of CTI - Dayton students records forwarded to CTI's Corporate Office, Cincinnati, Ohio.

8. One Brown folder containing loosely filed CTI - Dayton's 1988-90 Class Rosters.

b6
b7C

At the request of WMFO's SA [redacted]
Cincinnati is mailing all the enclosures by FEDERAL EXPRESS to [redacted]
[redacted] personal attention on Squad C-9 at the FEDERAL BUREAU OF INVESTIGATION, 7799 Leesburg Pike - Suite 200, South Tower, Falls Church, Virginia 22043.

AIRTEL

To: Director, FBI
 At: Criminal Investigative Division
 Fugitive Unit

From: ADIC, SAC, WMFO

Subject: BIG BOUNCE;
 MAJOR CASE # 55;
 OO: WMFO

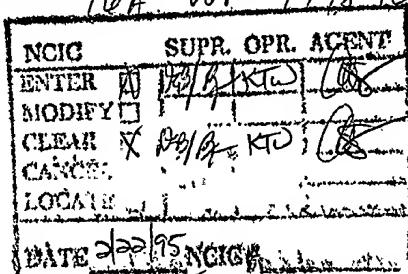
INSTRUCTIONS - Reverse Side

NOTE: Priority "A" and "B" Fugitives - With initial submission, set forth a synopsis of crime on reverse side.

III Inquiry
 Initial Submission
 Initial Submission - Parental Kidnapping
 Supplements FD-65 dated _____

Indicate Fugitive Priority

A
 B
 C
 D (Parental Kidnapping)

Caution	MKE	Name	NAM		Sex	SEX	Race RAC					
<input type="checkbox"/>		DONALD EDGAR LUKENS			M		W					
Place of Birth	POB	Birth Date	DOB	Date of Emancipation	DOE	Height	HGT	Weight	WGT			
		2/11/31				5'10"		160 lbs				
Eye Color	EYE	Hair Color	HAI	FBI No.	FBI	Skin Tone	SKN					
Blue		Brown										
Scars, Marks, Tattoos, and Other Characteristics										SMT		
NCIC Fingerprint Classification			FPC	Other Identifying Number			MNU	Social Security #		SOC		
								286-28-8739				
Operator's License Number			OLN	Operator's License State			OLS	Year Expires		OLY		
Offense Charged			Title, State, etc.			5199		OFF				
Bribery, Conspiracy,												
U. S. Code, Title and Section			Title 18, U.S.C., Sections 201, 371									
Warrant Issued By			U.S. District Court, District of Columbia			on	2/22/95	DOW	F.O. File #	OCA		
Miscellaneous Including Bond Recommended										(MIS)		
LICENSE PLATE AND VEHICLE INFORMATION												
License Plate Number	LIC	State			LIS	Year Expires	LIY	License Plate Type		LIT		
Vehicle Identification #		VIN	Year	VYR	Make	VMA	Model	VMO	Style	VST	Color	VCO
Aliases					Additional Identifiers							
Buz LUKENS					46A-WF-179870, SUB UU 							
NCIC #	NIC				2/23/95							
W851476786												

PRIORITY "A" and "B" FUGITIVES - Synopsis of Crime.

While serving as a U.S. Congressman for the State of Ohio, Lukens accepted bribe payment totalling \$27,500 from Ohio businessman [redacted] [redacted] for his assistance with legal problems involving [redacted] trade schools.

b6
b7c

1. **Caution (MKE)** - Insert "C" in block if caution statement indicated. Basis for caution statement must appear in Miscellaneous block, e.g., armed and dangerous.
2. **Name (NAM)** - Place name in this block. Aliases are not to be entered in this block but are to be placed in Aliases block.
3. **Sex (SEX)** - Sex will be designated by one letter, M (male) or F (female).
4. **Race (RAC)** - Race will be described by one letter, A (Asian or Pacific Islander), I (American Indian or Alaskan Native), B (Black), W (White), U (Unknown).
5. **Place of Birth (POB)** - Indicate city and state or, if foreign born, city and country. Where multiple birthplaces are reported, list verified birthplace or that which appears most logical in this block.
6. **Birth Date (DOB)** - Enter as month, day and year. Where multiple birth dates are reported, enter verified birth date or that which appears most logical in this block. Place other dates of birth in Additional Identifiers block.
7. **Date of Emancipation (DOE)** - Must be filled in if individual is a juvenile. Otherwise leave blank.
8. **Height (HGT)** - Express in feet and inches, e.g., 6'0". Round off fractions to nearest inch.
9. **Weight (WGT)** - Express in pounds. Omit fractions.
10. **Eye Color (EYE)** - Use appropriate three-character symbol.
11. **Hair Color (HAI)** - Use appropriate three-character symbol.
12. **Skin Tone (SKN)** - Use appropriate three-character symbol.
13. **Scars, Marks, Tattoos, (SMT), and Other Characteristics** - Place in this block only appropriate NCIC coding for scars, marks, tattoos, birthmarks, deformities, missing body parts and artificial body parts as defined in NCIC Code Manual. If more than one SMT is to be entered, use Additional Identifiers block for additional appropriately coded items. Use Miscellaneous block to describe all scars, marks, tattoos, and other characteristics, which are not defined in the NCIC Code Manual and to more fully describe SMT's which have been entered in SMT block. For example, an appendectomy scar, not being readily visible, would be described in the Miscellaneous block. A tattoo on right arm, shown as TAT R ARM in block, might be further described in Miscellaneous block as a rose tattoo on inside of lower right arm.
14. **NCIC Fingerprint Classification (FPC)** - Enter NCIC fingerprint classification.
15. **Other Identifying Number (MNU)** - Miscellaneous numbers may be entered with appropriate identifiers (prefixes). For first miscellaneous identifying number, use MNU block. When military service number is in fact Social Security Account Number, the number should be entered in both MNU and SOC blocks. Additional identifying numbers are placed in Additional Identifiers block. The identifier (prefix) should precede the number and be separated from the number by use of a hyphen.
16. **Social Security Number (SOC)** - Place subject's Social Security Account Number in this block.
17. **Operator's License Number** - Place subject's operator's license number in OLN block. Also show licensing state (OLS) and year license expires (OLY).
18. **Warrant Issued By-On-(DOW)** - Enter date warrant issued in DOW block. For juvenile offenders, enter the date of violation.
19. **Miscellaneous (MIS)** - Enter additional pertinent information in this block. If caution statement used, basis for statement must be set forth as first item in this block.
20. **License Plate and Vehicle Information** - Place information concerning license plate and/or vehicle known to be in the possession of subject in appropriate blocks under License Plate and Vehicle Information heading.
21. **Additional Identifiers** - Enter information concerning additional license plates (number, state, year expires, and where applicable, type); Social Security Numbers; operator's license number, state and year expires; vehicle information (VIN, VYR, VMA, VMO, VST, VCO); MNU's (see list in item 14 above); visible scars, marks, tattoos, and other characteristics; and dates of birth. Clearly identify what data is being set forth; e.g., Social Security # 423-56-3294; Michigan operator's license 234567, expires 1987; DOB's 4/5/32, 5/3/32; etc.
22. By making an III inquiry, the entering agency may become knowledgeable of additional DOBs, AKAs, and other significant information which may aid in the location and/or apprehension of wanted persons.
23. Changes and deletions should be so indicated in the appropriate blocks.

0222 81853 2031
NCIC REPLY

VAFBINV00

MKE/WANTED PERSON

ORI/DCFBIWFOO NAM/LUKENS, DONALD EDGAR SEX/M RAC/W DOB/021131 HGT/510

WGT/160 EYE/BLU HAI/BRO

SOC/286288739 OFF/BRIBERY DOW/022295 OCA/46A179870

MIS/BRIBERY/CONSPIRACY CONTACT SA [REDACTED] AT FBI [REDACTED]

ORI IS FBI FIELD OFFICE WASHINGTON DC

AKA/LUKENS, BUZ

NIC/W851476786

IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

#181856

b6
b7C

46A-WF-179870, SUB UU

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 22 1995	
FBI - WASH. METRO FIELD OFFICE	

[Handwritten signature over stamp]

cic.cw.dcfbiwf00.nam/lukens,donald edgar.nic/w851476786.022395
*** NCIC UPDATE SENT #41665 ***
*** NCIC RESPONSE #41665 RECEIVED FOR TERM TOCX ***
DCFBIWF00
CLEAR NAM/LUKENS, DONALD EDGAR NIC/W851476786

46A-WF-179870, SUB UU

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 23 1995	
FBI - WASH. METRO FIELD OFFICE	

AIRTEL

To: Director, FBI
 At: Criminal Investigative Division
 Fugitive Unit

From: SAC, ADPC, WMFO (46A-WF-179870, SUB UU)
 Date: 2/22/95
 INSTRUCTIONS - Reverse Side
 NOTE: Priority "A" and "B" Fugitives - With initial submission, set forth a synopsis of crime on reverse side.

Subject: BIG BOUNCE,
MAJOR CASE #55;
OO:WMFO

III Inquiry
 Initial Submission
 Initial Submission - Parental Kidnapping
 Supplements FD-65 dated _____

Indicate Fugitive Priority

A
 B
 C
 D (Parental Kidnapping)

Caution	MKE				NAM	Sex	SEX	Race RAC
						M		W

Place of Birth	POB Birth Date , DOB			Date of Emancipation	DOE	Height	HGT	Weight	WGT
<u>Middletown, Ohio</u>						<u>5'5"</u>		<u>150 lbs</u>	

Eye Color	EYE	Hair Color	HAIR CO. NO.	FBI	Skin Tone	SKN
<u>Brown</u>		<u>Brown</u>			<u>Reddish</u>	

Scars, Marks, Tattoos, and Other Characteristics <u>allegedly</u> <u>wears a hairpiece</u>	SMT
--	-----

NCIC Fingerprint Classification	FPC	Other Identifying Number	MNU	Social Security #	SOC

Operator's License Number	OLN	Operator's License State	O	
		<u>Ohio</u>		

Offense Charged	<u>Bribery, Conspiracy, False Statements</u>			5199 OFF
U. S. Code, Title and Section	<u>Title 18, U.S.C., Sections 201, 371, and 1623</u>			

Warrant Issued By	<u>District of Columbia</u>	on	<u>2/22/95</u>	DOW	F.O. File #	OCA
Misc.	<u>U.S. District Court</u>					

Miscellaneous	<u>is considered Armed and Dangerous.</u>			(MIS)
	<u>He regularly carries a .45 calibre handgun and is a prime suspect in the unsolved murder of his business partner. DOJ attorney intends to ask for detention of</u>			

LICENSE PLATE AND VEHICLE INFORMATION

License Plate Number	LIC	State	LIS	Year Expires	LIY	License Plate Type	LIT

Vehicle Identification #	VIN	Year	VYR	Make	VMA	Model	VMO	Style	VST	Color	VCO

Aliases	Additional Identifiers <u>46A-WF-179870, SUB UU-231</u>																
	<table border="1"> <tr> <td>NCIC</td> <td>SUPR. OPR. AGENT</td> </tr> <tr> <td>ENTER</td> <td>X <u>2/23/95</u></td> </tr> <tr> <td>MODIFY</td> <td><input type="checkbox"/></td> </tr> <tr> <td>CLEAR</td> <td>X <u>2/23/95</u></td> </tr> <tr> <td>CANCEL</td> <td><input type="checkbox"/></td> </tr> <tr> <td>LOCATE</td> <td><input type="checkbox"/></td> </tr> <tr> <td colspan="2">Dated <u>2/23/95</u> NCIC</td> </tr> </table>			NCIC	SUPR. OPR. AGENT	ENTER	X <u>2/23/95</u>	MODIFY	<input type="checkbox"/>	CLEAR	X <u>2/23/95</u>	CANCEL	<input type="checkbox"/>	LOCATE	<input type="checkbox"/>	Dated <u>2/23/95</u> NCIC	
NCIC	SUPR. OPR. AGENT																
ENTER	X <u>2/23/95</u>																
MODIFY	<input type="checkbox"/>																
CLEAR	X <u>2/23/95</u>																
CANCEL	<input type="checkbox"/>																
LOCATE	<input type="checkbox"/>																
Dated <u>2/23/95</u> NCIC																	

NCIC # W851478690 NIC

PRIORITY "A" and "B" FUGITIVES - Synopsis of Crime.

Subject [redacted] paid bribes totalling \$27,500 to U.S. Congressman Donald E. "Buz" Lukens to obtain Lukens' help with legal problems involving his trade schools. [redacted] fraudulently obtained financial aid monies through the trade schools.

b6
b7C

INSTRUCTIONS

1. **Caution (MKE)** - Insert "C" in block if caution statement indicated. Basis for caution statement must appear in Miscellaneous block, e.g., armed and dangerous.
2. **Name (NAM)** - Place name in this block. Aliases are not to be entered in this block but are to be placed in Aliases block.
3. **Sex (SEX)** - Sex will be designated by one letter, M (male) or F (female).
4. **Race (RAC)** - Race will be described by one letter, A (Asian or Pacific Islander), I (American Indian or Alaskan Native), B (Black), W (White), U (Unknown).
5. **Place of Birth (POB)** - Indicate city and state or, if foreign born, city and country. Where multiple birthplaces are reported, list verified birthplace or that which appears most logical in this block.
6. **Birth Date (DOB)** - Enter as month, day and year. Where multiple birth dates are reported, enter verified birth date or that which appears most logical in this block. Place other dates of birth in Additional Identifiers block.
7. **Date of Emancipation (DOE)** - Must be filled in if individual is a juvenile. Otherwise leave blank.
8. **Height (HGT)** - Express in feet and inches, e.g., 6'0". Round off fractions to nearest inch.
9. **Weight (WGT)** - Express in pounds. Omit fractions.
10. **Eye Color (EYE)** - Use appropriate three-character symbol.
11. **Hair Color (HAI)** - Use appropriate three-character symbol.
12. **Skin Tone (SKN)** - Use appropriate three-character symbol.
13. **Scars, Marks, Tattoos, (SMT), and Other Characteristics** - Place in this block only appropriate NCIC coding for scars, marks, tattoos, birthmarks, deformities, missing body parts and artificial body parts as defined in NCIC Code Manual. If more than one SMT is to be entered, use Additional Identifiers block for additional appropriately coded items. Use Miscellaneous block to describe all scars, marks, tattoos, and other characteristics, which are not defined in the NCIC Code Manual and to more fully describe SMT's which have been entered in SMT block. For example, an appendectomy scar, not being readily visible, would be described in the Miscellaneous block. A tattoo on right arm, shown as TAT R ARM in block, might be further described in Miscellaneous block as a rose tattoo on inside of lower right arm.
14. **NCIC Fingerprint Classification (FPC)** - Enter NCIC fingerprint classification.
15. **Other Identifying Number (MNU)** - Miscellaneous numbers may be entered with appropriate identifiers (prefixes). For first miscellaneous identifying number, use MNU block. When military service number is in fact Social Security Account Number, the number should be entered in both MNU and SOC blocks. Additional identifying numbers are placed in Additional Identifiers block. The identifier (prefix) should precede the number and be separated from the number by use of a hyphen.
16. **Social Security Number (SOC)** - Place subject's Social Security Account Number in this block.
17. **Operator's License Number** - Place subject's operator's license number in OLN block. Also show licensing state (OLS) and year license expires (OLY).
18. **Warrant Issued By-On-(DOW)** - Enter date warrant issued in DOW block. For juvenile offenders, enter the date of violation.
19. **Miscellaneous (MIS)** - Enter additional pertinent information in this block. If caution statement used, basis for statement must be set forth as first item in this block.
20. **License Plate and Vehicle Information** - Place information concerning license plate and/or vehicle known to be in the possession of subject in appropriate blocks under License Plate and Vehicle Information heading.
21. **Additional Identifiers** - Enter information concerning additional license plates (number, state, year expires, and where applicable, type); Social Security Numbers; operator's license number, state and year expires; vehicle information (VIN, VYR, VMA, VMO, VST, VCO); MNU's (see list in item 14 above); visible scars, marks, tattoos, and other characteristics; and dates of birth. Clearly identify what data is being set forth; e.g., Social Security # 423-56-3294; Michigan operator's license 234567, expires 1987; DOB's 4/5/32, 5/3/32; etc.
22. By making an III inquiry, the entering agency may become knowledgeable of additional DOBs, AKAs, and other significant information which may aid in the location and/or apprehension of wanted persons.
23. Changes and deletions should be so indicated in the appropriate blocks.

0222 81737 2030
NCIC REPLY

VAFBINV00

MKE/WANTED PERSON - CAUTION

ORI/DCFBIWFOO NAM/[REDACTED] SEX/M RAC/W POB/OH
DOB/[REDACTED] HGT/505 WGT/150 EYE/BRO HAI/BRO SKN/RUD
SOC/[REDACTED] OLS/OH OFF/BRIBERY DOW/022295 OCA/46A179870
MIS/A&D BRIBERY/CARRIES 45 CAL HANDGUN/WEARS HAIRPIECE/SUSPECT IN
UNSOLVED MURDER CALL SA [REDACTED] AT FBI [REDACTED]
ORI IS FBI FIELD OFFICE WASHINGTON DC
NIC/W851478690
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

b6
b7C

#181742

46A-WF-179870, SUB UU

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 22 1995	
FBI - WASH. METRO FIELD OFFICE	

[Handwritten signature over stamp]

cic, cw, dcfbiwfoo, nam [REDACTED]

nic/w851478690, 022395

*** NCIC UPDATE SENT #41612 ***

*** NCIC RESPONSE #41612 RECEIVED FOR TERM TOCX ***

DCFBIWFOO

CLEAR NAME [REDACTED]

NIC/W851478690

b6
b7C

46A-WF-179870, SUB UU

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 23 1995	
FBI — WASH. METRO FIELD OFFICE	

[Handwritten signature/initials over the stamp]

HOUSE BANK TASK FORCE

U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530FACSIMILE TRANSMISSION COVER SHEET
FAX NUMBER: 202-616-2304

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46A-WF-179870-SUB UU

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FEB 23 1995	
FBI - WASH. METRO FIELD OFFICE	

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Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, FEBRUARY 23, 1995

CRM
(202) 616-2008
TDD (202) 514-1888

FORMER CONGRESSMAN DONALD E. LUKENS INDICTED FOR BRIBERY

WASHINGTON, D.C. -- The Department of Justice announced today that former Congressman Donald E. "Buz" Lukens, of Middletown, Ohio, has been indicted on five felony counts, including bribery, by a federal grand jury in the U.S. District Court for the District of Columbia.

Lukens and another defendant in a related indictment, John P. Fitzpatrick, also of Middletown, were taken into custody today by Special Agents of the FBI, Lukens in Dallas, Texas, and Fitzpatrick in Kent, Ohio.

Count one charges Lukens, 64, with conspiracy to solicit and receive bribes and conspiracy to deprive the United States of his honest and faithful services, in violation of 18 U.S. C. § 371.

This count involves Lukens' acceptance of \$27,500 in payments from Ohio businessman, John P. Fitzpatrick and Henry Whitesell, who is now deceased, in return for using his Congressional office to assist them in connection with a trade school they operated in Ohio, the Cambridge Technical Institute (CTI).

Counts two through five of the indictment charge Lukens with

(MORE)

- 2 -

soliciting and accepting four bribery payments, ranging \$2,500 to \$15,000 between May and September 1990, while he was a Member of Congress., in violation of 18 U.S.C. § 201 (b) (2).

Lukens served in the U.S. House of Representatives most recently from January 1987 to October 1990. He faces a maximum penalty of 65 years in prison and a \$1,250,000 fine if convicted of the offenses.

A related indictment charges Ohio businessman John P. Fitzpatrick, 40, with one count of conspiracy to bribe Lukens, in violation of 18 U.S.C. § 371, four counts of bribery in violation of 18 U.S.C. Section 201(b)(2) and one count of conspiracy to defraud the United States by concealing and covering up fraud by CTI in connection with Department of Education loan and grant programs for post-secondary Education student aid, in violation 18 U.S.C. § 371.

Fitzpatrick faces a maximum penalty of 70 years in prison and a \$1,500,000 fine if convicted of the offenses.

The indictments stem from the Department of Justice's ongoing investigation of the House Bank. This case is being handled by attorneys assigned to the House Bank Task Force, Criminal Division, composed of an Assistant U.S. Attorney from Philadelphia, Pennsylvania, a Senior Litigation Counsel from the Fraud Section of the Criminal Division, a Senior Counsel in the Criminal Division, and Special Agents of the FBI. The task force was formed in December 1992, continue the work of the preliminary inquiry into

(MORE)

- 3 -

the House Bank that Malcolm R. Wilkey, retired Judge of the U.S. Court of Appeals for the District of Columbia Circuit, conducted as a Special Counsel to the Attorney General in 1992.

These charges represent the eighth and ninth to be brought by the task force. Former Congressman Mary Rose Oakar, of Cleveland, indicted on February 22, 1995, on charges of conspiracy to defraud the Federal Election Commission (FEC), conversion of government funds, filing a false financial disclosure report, and making false statements to the FBI. She is currently awaiting trial. Oakar's nephew Joseph DeMio, was also charged in the indictment with conspiracy to defraud the FEC. Another nephew Ignatius DeMio, was charged in an information with conspiracy to violate the federal election laws, and has agreed to plead guilty.

Former Kentucky Congressman Carroll Hubbard, Jr. pled guilty to conspiracy to defraud the FEC, theft of government property, and obstruction of justice, and is currently serving a three year term of imprisonment. Carol Brown Hubbard, wife of former Congressman Hubbard, pled guilty to taking property without right and was sentenced to five years probation. Former Sergeant At Arms of the House of Representatives, Jack Russ, pled guilty to conversion of government funds, wire fraud filing false financial reports, and is currently serving a two year term of imprisonment. Former Congressman Kentucky Carl C. Perkins pled guilty to bank fraud, conspiracy to file false statements with the FEC, and filing a false financial disclosure form, is scheduled to be sentenced on

(MORE)

- 4 -

March 13, 1995. Martha Amburgey, Perkins's secretary, pled guilty to aiding and abetting bank fraud, and conspiracy to file false statements with the FEC, and is scheduled to be sentenced on March 14, 1995.

The investigation by the House Bank Task Force is continuing.

###

95-103

(MORE)

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/16/95

[redacted] was telephonically contacted at his residence [redacted] Cincinnati, Ohio 45223, telephone number [redacted] was born on [redacted] in Cincinnati, Ohio. He holds a college degree and is currently in graduate school. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] furnished the following information:

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[redacted] informed that he worked at CAMBRIDGE TECHNICAL INSTITUTE (CTI) from approximately April, 1987, through December, 1988. [redacted] was an instructor at the Cincinnati campus of CTI. He taught custodial maintenance, basic construction, and a third class that he could not remember. [redacted] stated that he taught his classes, picked up his earnings checks, and immediately took the checks to the bank to cash them. He negotiated his checks from CTI quickly, because he was concerned about CTI's ability to cover them.

[redacted] stated that he had a "bad feeling" about CTI's operation. He was aware that CTI actively recruited students from the Welfare Office and the Justice Center. [redacted] advised that CTI's recruiters would pass out flyers in downtown Cincinnati. The recruiters would gravitate to the Welfare Office and Justice Center. [redacted] stated that, as a result of CTI's recruiting philosophy, a lot of CTI's students had questionable academic ability. [redacted] commented that many of CTI's student could not afford to take out the student loans that CTI's admissions representatives were signing them up to receive.

[redacted] advised that CTI offered incentives to its instructors to keep students in class. [redacted] recalled that, if an instructor had a retention rate of seventy percent (70%) or greater at the end of a quarter, the instructor got a bonus. The bonus amount was something like one hundred dollars (\$100).

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[redacted] stated that CTI had a high dropout rate, and he only received maybe one bonus during his tenure at CTI. [redacted] advised that he took roll at his classes and turned in his attendance records to the appropriate CTI personnel.

Investigation on 1/19/95 at Falls Church, Virginia File # 46A-WF-179870 SUB UU-233

by SA [redacted]

acea

Date dictated 1/25/95

46A-WF-179870 SUB UU

Continuation of FD-302 of [redacted], On 1/19/95, Page 2

[redacted] stated that he was not involved with admissions at CTI. At one point [redacted] questioned CTI's recruiting policies. [redacted] was told to "stay out of it" and to let the admissions people handle the recruitment of students. [redacted] thought he may have voiced his concerns at one of CTI's quarterly faculty meetings. [redacted] believed the person who told him to "stay out of it" may have been [redacted] the President of CTI.

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[redacted] stated that he considered CTI to be a "bogus operation." CTI had a high turnover of staff and no continuity. CTI did not provide health insurance for its instructors. [redacted] did not think CTI helped very many of its students or even had such intentions.

[redacted] stated that eventually he "got tired of the crap" at CTI and wanted more stability. He resigned from CTI and started working for the county. [redacted] informed that CTI caused him to have problems with the INTERNAL REVENUE SERVICE (IRS). He advised that CTI paid its instructors the entire amount of their wages earned, without making deductions for taxes and other costs. [redacted] ended up owing a tax liability to the IRS. It took him a couple of years to pay off the tax obligation.

[redacted] advised that he attended a meeting with the LEGAL AID SOCIETY (LAS). A female attorney with an unusual name conducted the meeting. Many CTI students were at the meeting, voicing complaints and stating that they felt "ripped off" by CTI. The LAS attorney asked [redacted] a lot of questions. [redacted] stated that he tried to "shield himself" from the attorney's questions. [redacted] commented that he tried not to get involved with the LAS's case against CTI. [redacted] informed that he was later contacted by an Agent of the FEDERAL BUREAU OF INVESTIGATION (FBI). [redacted] declined to talk to the FBI Agent.

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While he was teaching at CTI, [redacted] heard students complaining about being "ripped off" by CTI. [redacted] stated that he talked in general terms to the students about their problems. [redacted] advised the students that it was their legal right to file grievances against CTI.

[redacted] recalled that he only met HENRY WHITESELL on one occasion. WHITESELL did not go around to CTI's classrooms and

46A-WF-179870 SUB UU

Continuation of FD-302 of [redacted], on 1/19/95, Page 3

mingle with CTI's students or instructors. [redacted] heard that WHITESELL had been killed.

[redacted] indicated that he met [redacted] a couple of times. He would sometimes see [redacted] at meetings, but really never dealt with him. [redacted] knew some people did not like [redacted] impression was that [redacted] acted like he had "a chip on his shoulder."

[redacted] advised that he took attendance for his classes and turned in the attendance records at the end along with his grades. [redacted] maintained that he always recorded attendance accurately. He commented that he failed students in his classes. [redacted] had no recollection of doctoring attendance records. [redacted] stated that he considered education to be too important to participate in inaccurate record keeping.

[redacted] stated that he considered working for CTI to be an unpleasant experience. [redacted] stated that he does not even list his employment at CTI on his resume', because there is still stigma associated with CTI. However, [redacted] countered that there were some bright spots at CTI in that he was able to help some students.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/31/95

[redacted] was telephonically contacted at her residence, [redacted], West Chester, Ohio, telephone number [redacted]. She is employed by [redacted] in Cincinnati, Ohio. She was born on March 24, 1961 in Cleveland, Ohio. After being advised of the identity of the interviewing agent and the nature of the interview, [redacted] furnished the following information:

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[redacted] advised that, prior to working at CAMBRIDGE TECHNICAL INSTITUTE (CTI), she worked through the [redacted] EMPLOYMENT AGENCY. She interviewed with HENRY WHITESELL for a job at CTI. Around 1986, she was hired by CTI. [redacted] eventually moved into a position where she was working in financial aid at CTI. [redacted] worked at CTI's Cincinnati campus and also helped out at some of the other CTI schools. Toward the end of her tenure at CTI, [redacted] worked in CTI's corporate office in Cincinnati.

[redacted] informed that CTI students would prepare applications to obtain financial aid. She would review the applications to determine whether they were properly prepared. She would also verify that documentation required by students was provided. [redacted] remembered that students who had children had to submit forms relating to Aid to Dependent Children (ADC). Students who were dependent children themselves had to obtain signatures of their parents on certain forms. CTI also required the parents' tax returns. [redacted] recalled that it was very important for financial aid purposes whether a student was independent or dependent. [redacted] advised that CTI students had to provide information concerning their levels of income and sometimes were asked to show driver's licenses. The information required by CTI was used to determine if students qualified for financial aid.

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[redacted] mentioned that, for a period of time, she travelled to the various CTI schools to help financial aid officers in those schools. [redacted] sometimes trained new financial aid officers at the CTI schools.

Investigation on 1/23/95 at Falls Church, Virginia File # 46A-WF-179870, Sub UU -234

by SA [redacted] Date dictated 1/31/95

46A-WF-179870, Sub UU

Continuation of FD-302 of [redacted]

, On 1/23/95, Page 2

[redacted] When she was transferred to the CTI corporate office, assisted [redacted] She recalled helping to post receipts of Pell Grant funds onto large green ledgers. [redacted] also remembered working with Student Aid Reports (SAR), which she recalled consisted of sheets that resembled standardized tests. Sometimes, [redacted] helped type disbursement checks for CTI students. [redacted] stated that she did not post the amounts for Guaranteed Student Loans (GSL) received by CTI students. She thought [redacted] may have recorded the GSLs. [redacted] informed that [redacted] maintained the student ledger account cards for individual students. [redacted] did not post numbers to the student ledger cards. She sometimes has occasion to look at the ledger cards if someone contacted her with a question about a student's account.

[redacted] was questioned about CTI's handling of refunds of financial aid monies for students who had stopped attending CTI. [redacted] stated that she was not responsible for financial aid refunds and did not calculate such refunds. She advised that refunds of Pell Grant and GSL funds were handled by [redacted] with some involvement by WHITESELL and [redacted] would have lists of students on whom refunds were due. [redacted] would type up the lists with the students' names and Social Security Account Numbers (SSAN). [redacted] also recalled filling in codes on payment documents to show that refunds had been made.

[redacted] recalled hearing talk about refunds of financial aid monies not being sent out as they were supposed to. [redacted] remembered such conversations generally being between [redacted] and [redacted]. [redacted] recalled that an important issue was that the person who was supposed to sign off on the refund checks was not doing so. [redacted] stated that either WHITESELL or [redacted] was responsible for signing the refund checks.

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[redacted] did not recall [redacted] discussing the refund problems with WHITESELL or [redacted]. However, she advised that [redacted] would often meet with WHITESELL and [redacted] behind closed doors in WHITESELL's or [redacted] office. [redacted] was not privy to what was discussed during those meetings. [redacted] stated that WHITESELL and [redacted] usually did not come to [redacted] office to talk with her. [redacted] would usually go to their offices. [redacted] commented that [redacted] did not say much in front of her [redacted] about her

46A-WF-179870, Sub UU

Continuation of FD-302 of [redacted]

, On 1/23/95 , Page 3

concerns about refund checks not being sent back on a timely basis.

[redacted] did not remember the circumstances of leaving her position at CTI. [redacted] thought she may have left CTI before [redacted] advised that she was laid off by CTI around March or April of 1990. Prior to her termination, [redacted] had fertility surgery and was away from work for six to eight weeks. When it was time for her to return to work at CTI, [redacted] was told she was not needed anymore. [redacted] thought she learned about [redacted] resignation from CTI in a second-hand way.

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[redacted] was asked about the circumstances surrounding [redacted] departure from CTI. She thought [redacted] was laid off or fired by CTI.

[redacted] was questioned about CTI's policies concerning the recruitment of students. [redacted] stated that she heard that there were problems with CTI's recruiting tactics. [redacted] advised that CTI's recruiting was handled by WHITESELL and [redacted] was not involved in the recruiting process. When new students came to her, [redacted] verified that the students qualified to receive financial aid. [redacted] was also involved in orientation for new CTI students. [redacted] stated that she often heard new students say they were told they would be paid to go to school at CTI. [redacted] estimated that approximately 50 percent of the students thought they were going to get paid to go to CTI. During orientation, [redacted] stressed to the students that they were not going to be paid to go to school. She explained how the student loans worked and emphasized that the loans had to be paid back. [redacted] also stressed the importance of repaying the student loans during exit interviews she conducted with students. However, a large number of CTI students dropped out of school and never came in for exit interviews. [redacted] advised that she would try to contact students who had dropped out but was often unsuccessful.

[redacted] stated that she told [redacted] about the fact that a significant number of CTI recruits were under the false impression that they would be paid for coming to school.

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[redacted] was aware that there was pressure of CTI to enroll as many students as possible. This philosophy was promoted by WHITESELL and [redacted] recalled

46A-WF-179870, Sub UU

Continuation of FD-302 o [redacted], On 1/23/95, Page 4

[redacted] using the phrase "loading the wagons" to refer to CTI's recruiting goals. [redacted] understood "loading the wagons" to mean signing up as many students as possible by whatever means.

[redacted] advised that CTI enrolled students in programs that they did not have the capability to complete. She was aware of one student who had a physical disability affecting his hands being enrolled in a data entry program. [redacted]

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[redacted] advised [redacted] of the situation involving this disabled student. [redacted] stated that she did not talk much to

[redacted] She considered him to be "real abrupt," and he "rubbed her the wrong way." [redacted] usually went to [redacted] with problems that required [redacted] attention. [redacted] relied on [redacted] to take the problems to [redacted]

[redacted] recalled that the financial aid office would receive rosters from CTI's schools that contained names of students who were no longer in school. Financial aid personnel would consult the Education Department at CTI or the registrars at the schools regarding the problems with rosters listing students who were not in school. [redacted] recalled twins, [redacted] and [redacted] (Last Name Unknown) (LNU), who were registrars at CTI's school in Cincinnati, Ohio.

[redacted] advised that, when GSL checks were received by the financial aid office for students at CTI, they needed to be endorsed by the particular students. [redacted] stated that they tried to locate the students in class to obtain signature endorsements on the GSL checks. If the financial aid office was unable to locate the students in class within 30 days to obtain signature endorsements, the checks were sent to CTI's corporate office. [redacted] did not know what happened to the GSL checks once they reached the corporate office. She stated that whatever was done with the checks was between WHITESELL, [redacted]

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[redacted] was asked whether she had any knowledge concerning a large scale audit conducted by the U.S. Department Of Education (DOE) during August, 1990. [redacted] had left CTI by that time and was not aware of the August, 1990 audit. [redacted] did recall there being audits of CTI conducted by different organizations from time to time. She recalled that there was preparation involved in getting ready for the audits. [redacted]

46A-WF-179870, Sub UU

Continuation of FD-302 of [redacted], On 1/23/95, Page 5

remembered that CTI's record concerning sending GSL refund checks to lenders within certain periods of time was an important issue when CTI was being reviewed.

[redacted] stated that she thought WHITESELL and [redacted] were co-owners of CTI. [redacted] believed [redacted] was a part-owner or had an interest in CTI. [redacted] commented that [redacted] acted as if he had an ownership interest in CTI.

[redacted] said there were a lot of rumors and hearsay floating around CTI. She did not pay attention to most of the gossip because she did not want to know many of the rumors that were being circulated.

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[redacted] stated that she has not had any contact with [redacted] since before she had her surgery in early 1990.

C-9

/READ 2103/84
CCOC MRI OZIIS

TO FBI FEDERAL BUREAU OF INVESTIGATION

DE FEB 11 1995 00009 CEE0214

ENR DLUUW

O 2320Z FEB 95

FM FBI DALLAS (WDC2) (P)

TC DIRECTOR FBI/IMMEDIATE/

FBI CINCINNATI/IMMEDIATE/

FBI CLEVELAND/IMMEDIATE/

FBI WASH (46A-WF-179870 SUB UU)/IMMEDIATE/

PW

INCLUDE

DATES: //31901WDC2//

PAGE# FBIHQ SSA [REDACTED] WOCS, PDCI,

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SUBJECT: BIG BRUNCE! MAJOR CASE 551 CO: WMFO,

DISCONTINUE.

SUBJECT DONALD E. "BUZZ" LUKENS WAS ARRESTED WITHOUT
INCIDENT ON FEBRUARY 23, 1995, BY PLACENTE AT HIS RESIDENCE IN
DALLAS, TEXAS. LUKENS WILL MAKE AN INITIAL APPEARANCE BEFORE
UNITED STATES MAGISTRATE CLIVE KAPLAN THE AFTERNOON OF

Clear Lukens from NCIC.

*by
2/24/95*

*Done per serial 230.
46A-WF-179870 Sub UU-235*

NCIC	SUPR OPR	AGENT
ENTER		
MODIFY		
CLEAR	<i>✓</i>	<i>John SEM</i>
CANCEL		
SEARCH		
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(Signature)

	SEARCHED	INDEXED
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FEB 25 1995		
— WASH. METRO FIELD OFFICE		
		<i>m</i>

FEBRUARY 23, 1995. DALLAS WILL TELEPHONICALLY ADVISE THE WMFO
CASE AGENT OF THE BOND/RELEASE TERMS SET BY JUDGE KAPLAN.

BT

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/READ 1722/84
0000 AMI 01722

FBI RUCKERS FIELD FEDERAL BUREAU OF INVESTIGATION

DE FBIDC 00001 Q350214

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221749Z FEB 95

FM FBI CLEVELAND (46A-WF-179370 SUB UU) (P)

TO DIRECTOR FBI/PRIORITY/

FBI CINCINNATI/PRIORITY/

FBI DALLAS/PRIORITY/

FBI DENVER/PRIORITY/

FBI WASHDC/PRIORITY/

BT

UNCLAS

ARMED AND DANGEROUS - SUBJECT CARRIES A GUN

CCITEE //Z170429ZC//

PAGE: 38A [REDACTED] WCCB, PCL, FBI-QJ SA [REDACTED]

CR, WMFC, NMRS.

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SUBJECT: BIG BOUNCE, MAJOR CASE #551 DCI WMFC.

RE WMFC TELCALL AND TELETYPE TO CV ON 2/22/95.

[REDACTED] WAS ARRESTED WITHOUT INCIDENT AT 2102

Clear

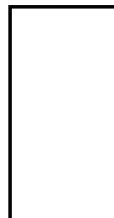
[REDACTED] from NCEC - Done per serial 231.

4/24/95

CG

REF ID	SEARCH OPR	AGENT	
ENTER			
MODIFY			
CLEAR	4/24/95	SLM/AS	
CANCEL			
LOCATE			
REPORT			
END			

46A-WF-179870 UU-236



Mr. M

Mr.

PAGE TWO DE FBICV 0001 UNITS

A.M., 2/23/95, AT HIS RESIDENCE, [REDACTED] KENT, OHIO,

44240, [REDACTED] IS SCHEDULED TO APPEAR BEFORE U.S.

MAGISTRATE JUDGE JAMES S. GALLAS AT 1:00 P.M. THIS DATE,

LEAVE WMFCI AT WASHINGTON, D.C.

WILL REMOVE [REDACTED] FROM NCIC.

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#0001

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FBI

TRANSMIT VIA:
 Teletype
 Facsimile
 AIRTEL

PRECEDENCE:
 Immediate
 Priority
 Routine

CLASSIFICATION:
 TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 2/23/95

FM FBI WMFO (46A-WF-179870 SUB UU) (P)

TO DIRECTOR FBI/PRIORITY/

BT

UNCLAS

CITE: //3920//

PASS: SECTION CHIEF [REDACTED] WHITE COLLAR CRIME SECTION

SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO:WMFO

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FORMER U.S. CONGRESSMAN DONALD E. LUKENS.

RE WMFO TELETYPE TO BUREAU DATED 2/22/95.

FOR INFORMATION OF THE BUREAU, ON 2/23/95, FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS WAS ARRESTED WITHOUT INCIDENT IN DALLAS, TX. AND OHIO BUSINESSMAN [REDACTED] WAS ARRESTED WITHOUT INCIDENT IN KENT, OHIO. SUBJECTS WERE INDICTED BY A FEDERAL GRAND JURY IN THE DISTRICT OF COLUMBIA ON 2/22/95 ON CHARGES OF BRIBERY AND CONSPIRACY. ARREST WARRANTS WERE ISSUED OUT OF THE DISTRICT OF COLUMBIA.

46A-WF-179870 UU-235

Approved: Lukens Original filename: res001w.054Time Received: _____ Telprep filename: 1es001s0.054MRI/JULIAN DATE: 841/55 ISN: 004FOX DATE & TIME OF ACCEPTANCE: 2/24/95 412 [REDACTED]

^PAGE 2 WMFO (46A-WF-179870 SUB UU) UNCLAS

[REDACTED] IS BEING DETAINED IN OHIO PENDING A DETENTION
HEARING SET FOR MONDAY, 2/27/95. LUKENS' INITIAL APPEARANCE
IS SET FOR THIS DATE. BUREAU WILL BE KEPT ADVISED OF ALL
ADDITIONAL INFORMATION.

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BT



FBI FACSIMILE COVERSHEET

PRECEDENCE

Immediate
 Priority
 Routine

CLASSIFICATION

Top Secret
 Secret
 Confidential
 Sensitive
 Unclassified

Time Transmitted: 150
 Sender's Initials: Klf
 Number of Pages: 5
(Including Cover Page)

To: FBI - DALLAS

(Name of Office)

Date: 2/24/95

Facsimile Number: (214) 922-7459

Attn: MEDIA REP (214) 922-7434
(Name Room Telephone)

From: WMFO

(Name of Office)

Subject: BIG BOUNCE ;

MAJOR CASE 55 :

Special Handling Instructions: _____

Originator's Name: SA

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Telephone

Originator's Facsimile Number: (202) 324-6426

46A-WF-179870-SUR VU

Approved: WM/CS

2/24/95 238
FBI/D

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C9

CREAD 1214/055
COCC MPA 51214

PP RUEINFO FEDC1 TPIPL FBI WFO

DE FBICW 40094 067102Z

TO: RUEINFO

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FM FBI CLEVELAND (46A-WF-179870 213 LU) (S)

TC DIRECTOR FBI/PRIORITY/

FBI CINCINNATI/PRIORITY/

FBI DALLAS/PRIORITY/

FBI WFO/PRIORITY/

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INCLUDE

ARMED AND DANGEROUS - SUBJECT CARRIES A GUN

CITE# //317012905//

SUBJ: REB [REDACTED] 226, PCU, FBIWFO SA [REDACTED]

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AC: WMFO, NMRA,

SUBJECT: BIG BOUNCE, MAJOR CASE 354 DOT WMFO.

RE CV TELETYPE TO BL T-15 DATE.

AT 1100 P.M., 2/23/95, [REDACTED] WAS AFFORDED AN

INITIAL APPEARANCE BEFORE OHIO STATE MAGISTRATE JUDGE

-239

46A-WF-179870 Subu

SEARCHED	INDEXED
SERIALIZED	FILED

FEB 26 1995

FBI - WASH. METRO FIELD OFFICE

PAGE TWO DE F31CV 0004 UNCLAS

GALLAGHAN, AKRON, OHIO. BASED ON INFORMATION PROVIDED BY ALIA

[REDACTED] PHILADELPHIA, THE GOVERNMENT MOVED FOR A DETENTION

OF [REDACTED] IN ADDITION, A THREE-DAY DELAY IN THE
DETENTION HEARING WAS GRANTED. U.S.M.J. GALLAGHAN SET THE DETENTION
HEARING FOR 10:00 A.M., 2/27/95. AN IDENTIFICATION AND
REMOVAL HEARING WILL BE COMBINED INTO THE DETENTION HEARING ON
2/27/95.

LEAD) WYFDR AT WASHINGTON, D.C.: b6

b7C

WILL PROVIDE INDIVIDUAL(S) TO PROVIDE TESTIMONY AT THE
DETENTION/IDENTIFICATION/REMOVAL HEARING AT 10:00 A.M.,
2/27/95, IN ORDER TO PROVIDE TESTIMONY RELATING TO

[REDACTED] DANGER TO THE COMMUNITY, IDENTITY, AND THE
PRESENTATION OF A CERTIFIED COPY OF THE FEDERAL INDICTMENT.

BT

#0004

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Former lawmaker Lukens charged with taking bribes

By Michael Hedges
and Jerry Seper
THE WASHINGTON TIMES

Former Ohio Rep. Donald "Buz" Lukens, who resigned in disgrace over a sex scandal in 1990, was indicted yesterday by a federal grand jury on charges he accepted bribes while in office from two Ohio businessmen.

Mr. Lukens, Ohio Republican, was the second former member of Congress indicted in as many days in the House Bank Task Force's investigation of possible corruption stemming from overdrafts at the House bank.

He is the fourth former House member charged in the ongoing probe. He was arrested yesterday in Dallas and pleaded not guilty in a preliminary hearing before a magistrate.

Justice Department prosecutors said Mr. Lukens, 64, took \$27,500 in payments from two businessmen to help them with an Ohio trade school, the Cambridge Technical Institute. He also is charged with conspiracy to take the bribes.

The indictment said Mr. Lukens took four payoffs ranging from \$2,500 to \$15,000 between May and September 1990.

The bribes came from John P. Fitzpatrick and Henry Whitesell, according to the indictment. Mr. Fitzpatrick was charged yesterday with conspiracy to bribe Mr. Lukens. Mr. Whitesell was gunned down in a telephone booth in Cincinnati in November 1990 in what officials called an unsolved "gangland-type" killing.

Harvey Volzer, Mr. Lukens' attorney, said: "My client is pleading not guilty. We expect an acquittal when we go before a jury."

Last year Mr. Lukens, who has been working as a consultant in the Dallas area, was an unindicted co-conspirator in a federal bribery

case in Alexandria in which Pentagon contractor Edward Krishack was charged with 16 counts surrounding payoffs to Mr. Lukens. A jury found Mr. Krishack not guilty of all charges in July.

"I was a little surprised by this indictment, especially after the case in Virginia resulted in not-guilty verdicts on all charges," Mr. Volzer said.

Mr. Lukens was one of 46 members of Congress who each wrote more than 100 bad checks on the House bank, although he was not charged with criminal wrongdoing for any overdrafts.

The former congressman was convicted in 1989 of a misdemeanor based on an accusation of having sex with a teen-age girl. He was defeated in the 1990 primary and was attempting to serve out his House term when a new allegation surfaced that he had made an improper advance toward a Capitol elevator operator.

He resigned from Congress two days after the House ethics committee voted to investigate the new charges of sexual misconduct.

Mr. Lukens, who served four terms in Congress and once sought the GOP gubernatorial nomination, was convicted by a jury in 1989 of paying 15-year-old Rosie Coffman \$40 to have sex with him in his Columbus, Ohio, apartment. He was sentenced to six months in jail and fined \$1,000, but the trial judge suspended all but 30 days of the sentence and \$500 of the fine after Mr. Lukens submitted to testing for sexually transmitted diseases and sought therapy.

Mr. Lukens' attorney at the time, Thomas Tyack, said the former congressman, who had been free on \$100,000 bond pending appeals, decided to go to jail in late 1991 because he could not afford to continue his appeal and because the U.S. Supreme Court probably would not have heard the case.

(Indicate page, name of newspaper, city and state.)

Page A3
THE WASHINGTON TIMES

Washington, D.C.
Date: 2/24/95
Edition:

Title: Former Lawmaker Lukens Charged With Taking Bribes
Character: Taking Bribes
or
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WMEC

Indexing:



Donald "Buz" Lukens

• Kentucky Democrat Carroll Hubbard Jr., who pleaded guilty to conspiracy to defraud the Federal Election Commission, theft of government property and obstruction of justice. He is serving a three-year prison term. His wife, Carol Brown Hubbard, was sentenced to five years' probation on related charges.

• Kentucky Democrat Carl C. Perkins, who pleaded guilty to bank fraud, conspiracy and filing false statements with the Federal Election Commission. He is scheduled to be sentenced in March. His secretary, Martha Amburgey, pleaded guilty to aiding and abetting his fraud and other charges and is also scheduled to be sentenced next month.

• Ohio Democrat Mary Rose Oakar, who was charged in an indictment Wednesday with lying to the FBI, making false statements and conspiracy in a scheme to defraud the House bank with 213 bad checks she wrote over three years. Miss Oakar has denied the accusations.

A state appeals court had upheld his conviction in June 1991, and the Ohio Supreme Court had rejected his appeal in November that year.

The House Bank Task Force began probing the financial dealings of members after a 1991 scandal revealed hundreds of kited checks had been drawn on the bank used by members. The other former House members indicted in the probe are:

(Mount Clipping in Space Below)

Former House Member Lukens, Ohio Republican, Charged With Taking Bribes

By Toni Lacy
Washington Post Staff Writer

Former representative Donald E. "Buz" Lukens (R-Ohio) was arrested yesterday by FBI agents in Dallas on charges that he accepted \$27,500 in bribes from two Ohio businessmen who wanted him to influence a U.S. Education Department audit of their trade school.

A five-count indictment made public here yesterday alleges that on behalf of the businessmen, Lukens, then in his fourth term, contacted an Education official about the department's investigation of Cambridge Technical Institute in Cincinnati. Lukens, 64, resigned from Congress in 1990 after an allegation of sexual misconduct.

A federal grand jury here also indicted John P. Fitzpatrick, 39, of Middletown, Ohio, and partner Henry Whitesell called on Lukens for help after former students sued them, charging improper recruiting practices. A year later, Education Department officials began a review of enrollment and student aid

kens was never charged in that case, and Krishack was acquitted.

"There is no way on God's green Earth that the Justice Department is going to prove this either," Volzer said. "Buz Lukens never took a bribe in his life."

According to yesterday's indictments, Fitzpatrick, 39, of Middletown, Ohio, and partner Henry Whitesell called on Lukens for help after former students sued them, charging improper recruiting practices. A year later, Education Department officials began a review of enrollment and student aid

records at the trade school's Cincinnati and Dayton campuses.

The grand jury said Fitzpatrick called Lukens the day after Education Department auditors appeared unannounced, wanting to look at the trade school's books. He wanted help getting the auditors "off [his] back," the indictment said.

The same day, Lukens called an official of the Education Department "in an effort to assist" Fitzpatrick, the grand jury said. Two months earlier, Lukens had directed a member of his congressional staff to help Fitzpatrick with a matter concerning his trade school, according to the indictment.

Whitesell was slain in November 1990. The murder is unsolved.

Lukens served two House terms in the 1960s. Elected again in 1986, he was among lawmakers who wrote bad checks on their House Bank accounts. Convicted in 1989 of a misdemeanor for having sex with a 16-year-old girl in Ohio, he lost his bid for a third consecutive term in the May 1990 primary and resigned that October after an allegation that he fondled a female elevator operator in the Capitol.

(Indicate page, name of newspaper, city and state.)

Page A3
THE WASHINGTON POST
Washington, D.C.

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46A-WF-179870, SUB UU

ZJ ZJ

HJS

(Mount Clipping in Space Below)

4A • FRIDAY, FEBRUARY 24, 1995 • USA TODAY

WASHINGTON

LUKENS INDICTED: Ex-Ohio GOP representative Donald "Buz" Lukens, who resigned from Congress after a 1990 conviction for sex with a 16-year-old, was arrested on federal charges of taking bribes in 1990 from two businessmen fighting to keep their trade school in the federal student loan program. His lawyer said he will plead innocent.

(Indicate page, name of newspaper, city and state.)

USA TODAYDate: 2/24-26/95
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46A-WF-179870, SUB UU
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(Indicate page, name of newspaper, city and state.)

Page 1

COLUMBUS DISPATCH

Columbus, Ohio

Date:

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Title: Ex-Lawmaker Accused
of Taking Bribes

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Ex-lawmaker accused of taking bribes

Lukens charged with taking \$27,500 from 2 businessmen

WASHINGTON (AP) — Former U.S. Rep. Donald E. "Buz" Lukens of Ohio was arrested yesterday on charges of bribery and conspiracy to misuse his public office.

An indictment unsealed in U.S. District Court alleges that Lukens, a Republican from Middletown, took \$27,500 from two businessmen who were fighting to keep their trade school in the federal student loan program.

The money allegedly changed hands in 1990, just months before Lukens resigned from Congress rather than face an ethics committee probe of a sexual misconduct allegation.

The FBI arrested Lukens, 64, in Dallas. John Fitzpatrick of Middletown, one of the businessmen accused of bribing Lukens, was arrested in Kent, Ohio.

If convicted on all counts, Lukens would face a maximum penalty of 65 years in prison and a \$1.25 million fine. Fitzpatrick would face a maximum penalty of 70 years in prison and a \$1.5 million fine.

U.S. Magistrate Jeff Kaplan in Dallas released Lukens on a personal recognizance bond. Magistrate James Gallas in Akron ordered Fitzpatrick held without bond pending a hearing Monday.

Lukens' lawyer, Harvey Volzer, said the former congressman would be brought to Washington for arraignment.

"There is no way on God's green earth that he is guilty of bribery by Mr. Fitzpatrick," Volzer said.

Fitzpatrick, who was president of Cincinnati-based Cambridge Technical Institute, was indicted on charges of conspiring to bribe Lukens and conspiring to cover up a fraud involving government student loans and grants.

Henry Whitesell, the other businessman identified by the grand jury as part of the scheme, was gunned down in a Cincinnati telephone booth in 1990. Whitesell owned the chain of technical schools.

In 1990, the chain was about to be kicked out of the government's student loan program.

The indictment said Whitesell and Fitzpatrick gave Lukens \$15,000 in May of that year; Fitzpatrick gave another \$2,500 in June, \$5,000 in August and \$5,000 in September.



Lukens

Lukens ordered an aide to look into Fitzpatrick's case in April or May 1990, asked for a progress report in or about July, and personally contacted an Education Department official on the chain's behalf in August, the indictment said.

Lukens became a lame duck in May 1990 when he was defeated in the Republican primary. The institute closed in December 1990.

The indictments were handed up by the jury looking into improprieties at the now-defunct House bank.

In 1991, Lukens served nine days of a 30-day sentence in the Franklin County jail after he was convicted of paying a 16-year-old girl for sex in 1988. He also was fined \$500 and ordered to receive therapy.

Last November, Rosie Coffman sued Lukens for \$750,000 in connection with their sexual encounters.

■ Former Rep. Mary Rose Oakar of Cleveland says she'll fight the charges against her / 3C

46A-WF-179870, SUB UU

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(Mount Clipping in Space Below)

Lukens charged in bribes

Troubled politician tied to trade-school scandal

By Bill Straub
Post Washington Bureau

WASHINGTON — Former congressman Donald "Buz" Lukens, one-time boy wonder of the Ohio Republican Party who has faced a stream of legal problems over the past five years, has now been charged with accepting bribes from a pair of Cincinnati businessmen.

The former lawmaker from Middletown, Ohio, is charged with taking payoffs totaling \$27,500 from John P. Fitzpatrick and the late Henry Whitesell, operators of Cambridge Technical Institute that operated out of the Cincinnati Club at 30 Garfield Place.

The men were seeking help for their financially strapped Cincinnati trade school.

Whitesell was shot to death in an east side Cincinnati phone booth in 1990. Fitzpatrick now lives near Akron.

At the time of the alleged bribes, Lukens was serving his sixth term in the U.S. House of Representatives.

Lukens, 64, was taken into custody by the FBI in Dallas on Thursday after a federal grand jury in Washington, D.C. issued a five-count indictment.

All of the charges allege that Lukens conspired to solicit and receive bribes while depriving the U.S. government of his "honest and faithful service."

Lukens accepted four payments between May and September 1990, according to the indictment, ranging from \$2,500 to \$15,000.

Please see LUKENS, 4A

(Indicate page, name of newspaper, city and state.)

Page 1
THE CINCINNATI POST

Date: Cincinnati, Ohio
Edition: 2/24/95

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Donald 'Buz'
Lukens

46A-WF-179870, SUB UU

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X5

61

Lukens

From Page 1A

If convicted on all charges, Lukens would face up to 65 years in prison and a \$1.25 million fine.

"There is no way on God's green earth that he is guilty of bribery by Mr. Fitzpatrick," said Lukens' lawyer, Harvey Volzer. "He will plead not guilty. He will be defending it to the fullest extent."

Fitzpatrick, 40, of Middletown, Ohio, also was indicted on one count of conspiracy, four counts of bribery and one count of conspiring to defraud the U.S. "by concealing and covering up fraud by CTI in connection with Department of Education loan and grant programs for post-secondary education student aid . . ."

Fitzpatrick, taken into custody in Kent, Ohio, on Thursday, faces a possible 70 years.

He could not be reached for comment Thursday.

Whitesell, who owned the school, was gunned down gangland-style in a phone booth at Lunken Playfield in October 1990.

Police made no arrests and uncovered few clues, although they suspect the 49-year-old Hyde Park resident fell victim to a contract slaying.

While Whitesell's murder remains unsolved, an FBI spokesman said Thursday, "To the FBI's knowledge, there is no link" between the bribery case and Whitesell's death.

In December 1990, federal au-

The charges

Former congressman Donald "Buz" Lukens now faces a new round of criminal allegations.

■ The new charges say Lukens took bribes from the operators of a Cincinnati trade school facing financial problems.

■ Last year a federal grand jury charged Lukens took a \$5,500 bribe from an Ohio company to help it win an extension of a government construction contract. He wasn't indicted and both the company and its president were exonerated in the trial.

■ In 1989, Lukens was convicted and imprisoned for having sex with a 16-year-old girl. He was caught on a hidden camera discussing the situation with the girl's mother before charges were filed.

thorities revealed they investigating whether Whitesell falsified student-loan records at Cambridge Technical to illegally obtain federal education funds to pay for his extravagant lifestyle.

At that time, Cable News Network (CNN) quoted Cambridge employees as saying Whitesell obtained federal loans totalling as much as \$5 million in the name of students who had dropped out of the school. The money, they said, was used to support Whitesell's lifestyle and gambling habits.

Lukens represented Ohio's 8th Congressional District, which included six western counties from Butler County north to Van Wert County. He lost a primary in 1990 after allegations of sexual improprieties and resigned from office a few months later.

Last April, in an unrelated case, a federal grand jury in Alexandria, Va., charged Lukens had accepted a \$5,500 bribe from an Ohio company, Hoke Development, to assist in an ultimately unsuccessful effort to extend a government construction contract.

Lukens was not indicted and did not testify during the trial that ultimately led to the company and its president, Edward Krishack, being acquitted on all charges.

Krishack said he loaned the money to Lukens in 1989 and 1990 because the lawmaker was distraught over the pending foreclosure of his farm.

In 1989, the lawmaker was convicted and later served time in prison for having sex with a 16-year-old girl in Columbus. He was caught on a hidden camera discussing the situation with the girl's mother before the charges were filed.

Despite that public embarrassment, Lukens sought reelection but lost the 1990 Republican primary.

He resigned two months before his term was scheduled to end when the House Ethics Committee voted to investigate new charges of sexual misconduct involving improper advances to a Capitol Hill elevator operator.

(Mount Clipping in Space Below)

(Indicate page, name of newspaper, city and state.)

THE CINCINNATI ENQUIRER

Page 1

Cincinnati, Ohio

Date:

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Lukens faces bribe charges

Ex-congressman arrested by FBI

BY JULIE IRWIN
The Cincinnati Enquirer

Former U.S. Rep. Donald "Buzz" Lukens was arrested Thursday by FBI agents in Dallas on charges he took bribes from a failing Cincinnati-based technical school shortly before he resigned in disgrace in a sex scandal.

In an investigation tied to the now-defunct House bank, Lukens, 64, a Republican formerly of Middletown, was indicted by a federal grand jury in Washington on charges of accepting

\$27,500 from two Ohio businessmen to help them with the Cambridge Technical Institute.

The school closed less than three weeks before Lukens' resignation Oct. 25, 1990.

Cambridge's president, John P. Fitzpatrick of Kent, was indicted Thursday on related bribery charges. The school's owner, Henry Whitesell of Hyde Park, was found shot to death in a phone booth at Lunken Playfield on Oct. 29, 1990. The slaying has not been solved.

Lukens was the second former member of Congress from Ohio to be indicted in two days as a result of the House bank investigation. Former U.S. Rep. Mary Rose Oakar, a Democrat from the Cleveland area, was indicted Wednesday

'Mr. Lukens intends to plead not guilty and ask for a jury trial. . . I'm just telling you (the bribery) flat-out never happened.'

— Harvey Volzer, Lukens' attorney

on charges of lying to the FBI, filing false financial statements and converting public money for her own use through the bank.

The Justice Department's House Bank Task Force, which handled both

investigations, expects to file more indictments, a department spokesman said Thursday. The statute of limitations on activity connected to the bank expires in July.

Lukens was convicted in 1989 in connection with a sex scandal involving a 16-year-old girl in Columbus. He resigned weeks before his term ran out to avoid a House Ethics Committee inquiry of alleged sexual misconduct.

He was arrested Thursday morning by FBI agents at his home in Dallas and was released later in the day without bond.

(Please see LUKENS, Page A8)

► Chronology, A8



1988 Enquirer file photo of 'Buz' Lukens in Washington. He resigned in October 1990.

Lukens: Ex-lawmaker faces bribe charge

CONTINUED FROM PAGE A1

"Mr. Lukens intends to plead not guilty and ask for a jury trial. We fully expect he'll be acquitted," said Harvey Volzer, Lukens' attorney, who spoke with Lukens after he was taken into custody. "I'm just telling you (the bribery) flat-out never happened."

Lukens had met three times with members of the task force, most recently in 1993, Volzer said. During the last meeting, the attorney said, Lukens passed a polygraph test concerning the Cambridge bribery allegations.

Lukens had not had any contact with the task force in two years, Volzer said, and Thursday's arrest "took him a little bit by surprise."

If convicted, Lukens faces a maximum penalty of 65 years in prison and a \$1.25 million fine.

The indictment charges that Lukens contacted Department of Education officials on behalf of Fitzpatrick and Whitesell, who were scrambling to keep their school in the federal student loan program. Cambridge was in danger of being kicked out of the program because of excessive default rates and other problems.

The school also was being sued by students who claimed that their diplomas were worthless and that the school cared only about bringing student loan money in. A settlement of the suit required Cambridge to pay back federal loans on which the students had defaulted.

Lukens directed staff members to help Fitzpatrick and spoke with the businessman both on the telephone and in his office, the indictment states. Between May and September 1990, Lukens allegedly deposited four checks, ranging from \$2,500 to \$15,000, in his account at the House bank.



Middletown Journal

Henry Whitesell, left, and John Fitzpatrick in a May 1988 photograph taken at Cambridge Technical Institute Middletown branch.

Fitzpatrick was charged in a related indictment with bribery, conspiracy to bribe, conspiracy to defraud the United States and covering up fraud at Cambridge. The fraud allegedly involved the Department of Education loan and grant programs.

He faces up to 70 years in prison and a \$1.5 million fine if convicted.

FBI agents from Akron arrested Fitzpatrick at his home in Kent on Thursday morning. He appeared before a federal magistrate in Akron, where he was ordered held without bail until a Monday appearance.

Whitesell was found shot to death less than four weeks after Cambridge closed. Police were stumped as to why Whitesell had stopped at a phone booth, since he

had a car phone in the black Mercedes he drove to the park.

Robbery was ruled out as a motive because his jewelry and money were still with him. Cincinnati Police said Thursday there had been no new leads in Whitesell's killing and no solid evidence pointing to a suspect was ever developed.

Many possible motives were investigated — gambling and personal problems among them — but nothing in the case ever pointed to a political motive for the killing, several investigators said.

"We don't have any new information," said Sgt. Butch Guy of the homicide unit.

Volzer said the Whitesell slaying was never brought up during Lukens' meetings with the bank task force, and Justice Department

officials said the slaying is not part of their investigation.

Lukens, who represented parts of Butler and Van Wert counties, was first elected to the House in 1966. After losing the Republican gubernatorial primary in 1970, he was appointed to an Ohio Senate vacancy and continued serving in that position until 1980. He was elected to another term in the U.S. House in 1986.

Lukens was convicted on May 26, 1989 of contributing to the delinquency and unruliness of a minor, after a 16-year-old girl said she had had sex with the congressman. In 1991, Lukens served nine days of a 30-day jail sentence for the delinquency conviction.

Volzer represented Lukens in 1992, when an Ohio businessman went to trial on charges he bribed the former congressman. Lukens was never charged in that case, and the businessman, Edward Krisack of Wickliffe, was acquitted of bribery and other charges.

Volzer said Lukens had been working as a political consultant in Dallas for the past two years and had served as a consultant in Washington before moving to Texas. The National Taxpayers Union estimated in 1990 that Lukens would receive a pension of about \$37,000 a year after he turns 62.

Volzer also said Lukens has been in ill health for years and has been unable to work full time. Lukens had suffered previously from throat and skin cancer.

Enquirer reporters Adam Weintraub, Ben Kaufman, Candace Goforth and Randy McNutt contributed to this report.

Chronology: Donald E. "Buz" Lukens

- **Feb. 11, 1931:** Born in Harrysburg, a small Warren County village.
- **1954:** Graduated from Ohio State University with a criminology degree. Spent six years in the U.S. Air Force in Asia.
- **1963:** Elected president of the National Young Republicans organization after serving as clerk for U.S. Rep. Clarence Brown, R-Ohio.
- **1968:** In political debut, defeated the party-backed candidate for Congress. Developed a following for his staunch anti-communist views and engineered the short-lived campaign to nominate Ronald Reagan for president in 1968.
- **1970:** After serving two terms in Congress, lost the Republican nomination for governor.
- **1970:** Appointed to an Ohio Senate vacancy and later that year elected to a full term in the seat.
- **1974:** Fought off charges of accepting campaign contributions from Tongsun Park, a Korean businessman. Also in 1974, was barred from running for office for five years for failing to file a personal expense account after the 1972 election. Later was absolved when the law was changed.
- **1976:** Re-elected to the Ohio Senate.
- **1978:** Ran unsuccessfully for state auditor against Democrat Thomas Ferguson.
- **1985:** Underwent the first of several operations for throat and skin cancer.
- **1986:** Won election to the 8th District congressional seat vacated by U.S. Rep. Tom Kindness, R-Hamilton.
- **May 1989:** After a five-day trial in Franklin County Domestic Relations Court, convicted of contributing to the delinquency and unruliness of a minor. A 16-year-old girl said Lukens paid \$40 to have sex with her at his Columbus apartment in November 1988. Lukens was sentenced to 30 days in jail and a \$500 fine. He maintained his innocence and rejected calls by Republican leaders to resign.
- **August 1989:** U.S. House Ethics Committee investigation of Lukens began.
- **September 1989:** Ohio Republican leaders, led by Chairman Robert Bennett, renewed calls for Lukens to resign. They threatened to ignore him at party functions and support an opposing candidate.
- **May 2, 1990:** Apologizes to constituents for his "dumb mistake" and declared his candidacy for re-election. "I'm going to give it a good try," he said.
- **May 8, 1990:** Finished third in the four-candidate Republican primary. State Rep. John Boehner of Union Township in Butler County won the primary and defeated Hamilton Mayor Gregory Jolivette in November.
- **October 1990:** Resigned three months before his term ends after being accused of sexual harassment by a Capitol elevator operator. The woman said Lukens made unwanted and unsolicited sexual advances.
- **January 1991:** Served nine days of 30-day jail sentence before being released to undergo court-ordered sex-offender counseling.
- **April 1994:** A former Pentagon contractor was found not guilty of fraud, bribery, embezzlement and conspiracy because he gave \$5,500 in 1989 and 1990 to Lukens. Prosecutors alleged the contractor was trying to buy Lukens' influence during his final year in office.
- **Feb. 23, 1995:** Arrested in Texas on bribery charges after being indicted by a federal grand jury in Washington on charges of accepting \$27,500 from two Ohio businessmen in return for getting help for the Cincinnati-based trade school they operated.

(Mount Clipping in Space Below)

Lukens indicted on bribery charges

By Virginia Barazia:
Journal Washington Bureau

WASHINGTON — A federal grand jury indicted former Ohio Rep. Donald E. "Buz" Lukens, a Republican formerly of Middletown, on bribery charges Thursday.

The grand jury also indicted John Fitzpatrick, 40, 4420 Nelson Road, Middletown, for allegedly bribing Lukens in a bid to help the former Cambridge Technical Institute. The institute maintained a branch in City Centre Mall for several years in the late 1980s.

Lukens, a former 8th District congressman, pleaded not guilty to four counts of bribery and one count of conspiracy at his arraignment in federal court in Dallas Thursday afternoon, according to his attorney Harvey J. Volzer of Arlington, Va.

"He expects to be acquitted of all charges," Volzer said.

Lukens, who has been living in Dallas for several months, resigned from Congress in October 1990 after his conviction for having sex with a 16-year-old girl, a primary defeat and an allegation of sexual advances toward a Capitol elevator operator.



Lukens

Fitzpatrick

The indictment charges that Lukens accepted \$27,500 from Fitzpatrick and Louis Henry Whitesell, both executives of Cambridge Technical Institute, which was based in Cincinnati. The payments were made in exchange for Lukens' help in fighting a lawsuit filed by former students and a Department of Education audit of the school's Pell grant and student loan programs, the indictment said.

Fitzpatrick, the former president and director of education at Cambridge, was charged with bribery, conspiring to defraud federal student aid programs and lying to a federal grand jury. Fitzpatrick ran for Middletown City Commission in 1983, but lost.

See "LUKENS" on Page 2

(Indicate page, name of newspaper, city and state.)

THE MIDDLETOWN JOURNAL

Middletown, Ohio

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239x7

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Lukens

Continued from Page 1

The other executive, Louis Henry Whitesell of Cincinnati, was shot and killed in Cincinnati in October 1990.

According to the indictment, Lukens accepted one \$7,500 check from Whitesell and four checks totaling \$20,000 from Fitzpatrick between May 1 and Sept. 23, 1990.

During the same period, Lukens instructed his staff to assist Fitzpatrick and contacted an Education Department official about the trade school, the indictment charges.

In August 1989, a group of former students sued Cambridge for alleged improper recruiting practices. According to the Fitzpatrick indictment, Fitzpatrick and Whitesell first discussed seeking Lukens' help with the lawsuit in April 1990. The first two checks totaling \$15,000 were delivered to Lukens in early May, the indictment says.

In August 1990, the Education Department began its audit of Cambridge's student aid records. On Aug. 20, 1990, Fitzpatrick gave Lukens a \$5,000 check, and two days later, Lukens contacted the agency about the Cambridge case, the indictment says.

A grand jury learned of the checks because a special Justice

Department task force has been examining transactions at the now-defunct House bank, where members of Congress were allowed unlimited, penalty-free overdrafts.

A Justice Department spokesman said Lukens and Fitzpatrick will be tried in federal court in Washington. Fitzpatrick was arraigned in Akron Thursday afternoon.

Fitzpatrick's indictment charges that Cambridge kept Pell grant and student loan funds in excess of those needed for the school's students. Later, the school allegedly destroyed records and created false records to impede an Education Department audit.

This is the second time in the last year Lukens has been implicated in a bribery scheme. Last April, he was named an "unindicted co-conspirator" in a bribery and false claims case against a Wickliffe, Ohio, company and its president, Holk Development Inc. and Edward R. Krishack were acquitted of all charges after arguing that Lukens at that stage in his career had no influence to peddle, and checks to him were charity.

(The Associated Press contributed to this report.)

Whitesell slain four years ago

Other bribe suspect, Fitzpatrick, arrested

CINCINNATI (AP) — One of the businessmen alleged to have bribed former U.S. Rep. Donald "Buz" Lukens was murdered more than four years ago in a hail of bullets while making a phone call from a public booth.

The other, John Fitzpatrick, 40, 4420 Nelson Road, Middletown, was arrested Thursday in Kent, Ohio, and accused of bribery, conspiracy and giving false information to grand jurors.

Fitzpatrick worked for Louis Henry Whitesell, the co-owner and chairman of Cambridge Technical Institute, a private vocational school, which operated a branch in Middletown's City Centre Mall for several years in the late 1980s.

Whitesell was slain in 1990, but authorities still don't know why he was killed. Detectives do know he was shot at least four times with a handgun.

The murder is still unsolved. FBI spokesman Ed Boldt said

Thursday.

Police said Whitesell had driven a black Mercedes Benz to the park between 8 and 10 p.m. that Sunday night, locked the car and took some papers into the phone booth. Police said they did not know why Whitesell did not use the telephone in the car, which was owned by Cambridge Technical Institute.

Whitesell was a highly regarded amateur tennis player who competed with his son, Phil, in national father-son clay court tournaments. He had played collegiate tennis at Tulane and Butler universities.

Whitesell and his wife, Jane, had lived in a \$357,000 home in Cincinnati's affluent Hyde Park section, according to Hamilton County tax records.

His Cincinnati-based technical school operated branches in Dayton, Middletown and Cleveland, offering courses in word processing, computer programming and electronics repair.

The Cincinnati branch closed

Oct. 5, 1990, after it was sued for \$13,666 in back rent and students sued to allege that the school was issuing worthless diplomas.

The FBI investigated to determine whether fraud was involved in federal education grant money that Cambridge received for students.

"No one was ever charged in that case," Boldt said.

FITZPATRICK joined Cambridge Technical Institute in 1984 as director of education. He is a graduate of Lemon-Monroe High School and Miami University and taught in public schools for five years.

Before joining Cambridge, he served as director of education at the Southwestern College of Business in Middletown.

Cambridge opened a branch in City Centre Mall in 1986, which closed several years later. City officials were not certain of the date the branch closed this morning.

Fitzpatrick later served as vice president and president of Cambridge.

Lukens' arrest troubles early political supporters

By The Journal Staff

Donald "Buz" Lukens' arrest Thursday for bribery saddened those who remember him as a rising star in the Republican Party whose fall from grace was quick and irreversible.

"Poor Buz. Aren't they ever going to leave him alone," said former Middletown City Commissioner Vi Ginn. "He was trying to get his life back together. It just seems like things follow him."

Ginn has publicly supported Lukens throughout the scandals that destroyed his political career. Ginn's daughter, Paula Brizee, worked for Lukens in Washington, D.C.

Pete Mengel, former chairman of the Butler County Republican Party, said Lukens' indictment was a "strange situation." He would not comment further.

Longtime Butler County Civil Defense Director Irene Lewis agreed.

"This is such a departure from the Buz Lukens I knew," she said. "When he was first in Congress, I just thought he was epitome of honesty and integrity."

Several acquaintances said Thursday that Lukens' demeanor and actions changed noticeably after he learned he had

cancer some 10 years ago.

"I saw a total change in his personality," said county Recorder Joyce Thall, who helped manage Lukens' campaign for state auditor in 1978. "We all noticed almost a terrible change" in which Lukens appeared more withdrawn and distant.

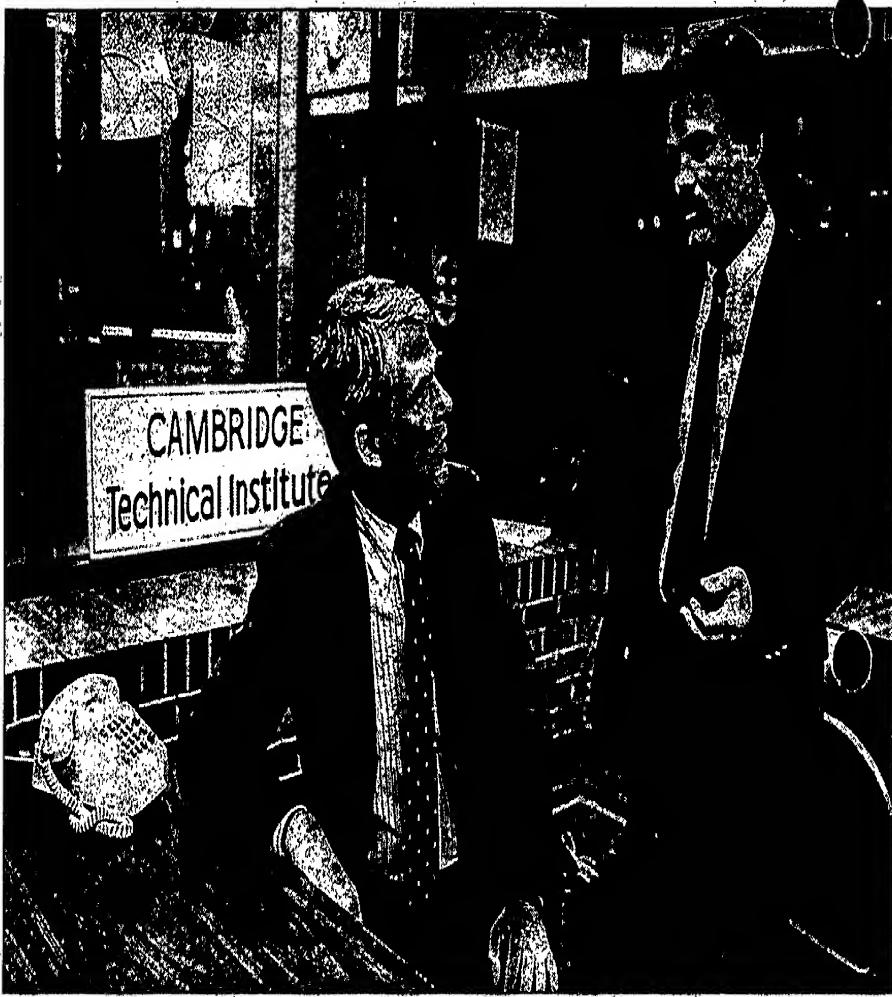
Donald Beaty, a St. Clair Township resident who worked as a state Senate page and aide to Lukens in the late 1970s, said he remembers two Lukens: the man before cancer and after.

"Before cancer, he would dot the i's and cross the t's," Beaty said. "He was a stickler for details beyond belief."

Hamilton businessman Harry Wilks, who ran in the Democratic primary in an effort to take Lukens' congressional seat some 20 years ago, said Lukens had the charisma to energize campaign workers.

"He knew his trade, by God," Wilks said. "He had a great personality, a lot of polish and charm."

Jim Pence, president of both executive and central committees of the Preble County Republican Party during the Lukens years in Washington said he strongly supported Lukens until he found out "I couldn't trust the man."



HENRY WHITESELL, LEFT, AND JOHN FITZPATRICK IN 1988 MIDDLETOWN JOURNAL FILE PHOTO

Cambridge Technical Institute opened a facility in Middletown's City Centre Mall in 1986

LUKENS' BIOGRAPHY

1963 — Elected president of the Young Republicans at a raucous convention in San Francisco on a platform endorsing Sen. Barry Goldwater for president.

1966 — Elected to the U.S. House, serves 1967 to 1971.

1970 — Fails in bid for Republican nomination for Ohio governor after redistricting eliminates his congressional seat.

1971 — Lukens appointed to the Ohio Senate, staying until 1986.

1978 — Lukens loses bid for state auditor, but leaves Ohio Senate to run for Congress when former U.S. Rep. Thomas Kindness runs for governor.

1984 — Lukens stricken with throat cancer.

1986 — Elected to U.S. House of Representatives; re-elected in 1988.

November 1988 — Lukens drives to McDonald's restaurant in Columbus and meets with Rosie Coffman's mother. He was accused of having sex with Rosie Coffman, a 16-year-old girl from Columbus. The mother wants to know why he was involved with her daughter; he is filmed during the conversation by a television station.

June 1989 — House Republicans call for an investigation of Lukens by House Ethics Committee.

June 1989 — A polyp removed from Lukens' throat proves to be benign; he was diagnosed with throat cancer earlier.

May 1989 — Lukens found guilty of contributing to the delinquency of a minor in connection with the Coffman case and sentenced to 30 days in jail.

October 1990 — Lukens resigns from Congress after conviction and as allegations he fondled and elevator operator spread. Resignation avoided House Ethics Committee investigation.

November 1990 — Loses GOP primary for renomination to U.S. House.

April 1992 — Lukens becomes involved in the investigation of the Bank of the U.S. House of Representatives. He had written 142 personal checks the bank held for insufficient funds.

June 1994 — David Stitt, former Lukens campaign treasurer, testifies at Developer Edward Krischack's bribery trial and says Lukens had become a social outcast in the House and was chronically short of cash.

July 1994 — Krischack is found innocent of bribery charges. He said he loaned \$5,500 to then-Congressman Lukens in 1989 and 1990. Government claimed Krischack bribed Lukens to get a Pentagon contract for renovations.

Lukens took long tumble from Hill

BY CAMERON McWHIRTER
The Cincinnati Enquirer

DALLAS — Donald "Buz" Lukens' lengthy slide from political heights brought him here — to live among strangers unaware of his sordid past. Since June, he has lived in a shabby apartment complex in the northern part of the city, alone and lonely, according to neighbors.



Lukens spoke to no one here Lukens of his life as a congressman, a state senator or the national head of the Young Republicans. He never explained the mementoes that crowd his small, one-bedroom apartment, the photos of him shaking hands with conservative icons like Nixon, Goldwater and Reagan.

About all Lukens gave neighbors of his past was his nickname.

"Every day he comes out of his apartment and I says, 'How are you doing, Mr. Buz?'" said Rodney Grant, 23, a maintenance man at the Suncrest Apartments. "We talk about me keeping the place clean, but he doesn't talk much about himself."

Lukens' nurtured anonymity was shattered Thursday when federal agents arrived to arrest the 64-year-old former congressman on five counts of bribery. An indictment by a federal grand jury in Washington charges that in the months before the lame-duck lawmaker resigned in disgrace, he accepted \$27,500 from the heads of a Cincinnati-based technical school, John P. Fitzpatrick and Henry Whitesell.

The Cambridge Technical Insti-



Susan Weems for The Cincinnati Enquirer
Donald "Buz" Lukens lives in this first-floor apartment in Dallas now.

tute was about to be kicked out of the federal student-loan program for alleged improprieties, according to the indictment, and Lukens had contacted Department of Education officials on their behalf in exchange for the money.

Lukens' attorney, Harvey Volzer, could not be reached for comment Friday. But on Thursday, Volzer said the bribery "flat-out never happened" and that his client would plead not guilty.

Lukens was released on his own recognizance Thursday afternoon after appearing before a federal magistrate. Fitzpatrick, who now owns a Ravenna, Ohio, technical school, remained in custody at Por-

(Please see LUKENS,
Page A4)

(Indicate page, name of newspaper, city and state.)

THE CINCINNATI ENQUIRER

Cincinnati, Ohio

Date:

Edition: 2/25/95

Title: Lukens Took Long Tumble From Hill

Character:

or 46A-WF-179870, SUB UU

Classification:

Submitting Office:

WMFO

Indexing:

[Handwritten signature]

46A-WF-179870, SUB UU
[Handwritten signatures] -239X8

[Handwritten signature]

Lukens: New woes find former Congressman

CONTINUED FROM PAGE A1

Cottage County Jail Friday. He was scheduled to appear for a bond hearing Monday morning.

Whitesell was found shot to death in a phone booth at Cincinnati's Lunken Playfield on Oct. 29, 1990, three weeks after the school was shuttered and four days after Lukens stepped down. Police have said there is nothing to indicate that Lukens was involved in the shooting.

The latest charges brought Lukens, who was convicted in 1989 of having sex with a 16-year-old girl, back into public scrutiny — the last thing he seems to want.

Lukens walked out of his apartment Friday morning wearing a tweed jacket and brown pants, his gray hair slicked down. His face, worn with age spots and wrinkles, turned gloomy when a reporter approached him. The reporter said he understood that Lukens might not want to speak with him; Lukens replied, "You've got that right."

By the time he started his black Chrysler New Yorker and pulled

out of the lot, Lukens was wiping tears from his cheeks.

The indictments were another tumble in a steep fall for Lukens, whose career in conservative politics held such promise. A man who once walked the marble hallways of the nation's Capitol now strolls the off-white stucco buildings of the Suncrest Apartments. The pensioned ex-politician, who receives an estimated \$37,000 a year, now pays \$415 a month for a small apartment in what residents call an increasingly bad neighborhood.

According to fellow Suncrest resident Jim Carlisle, 43, the area where Lukens lives is going downhill, despite its proximity to Dallas' famed tribute to wealth, the Galleria Mall. Crime is on the rise, Carlisle said, and a large apartment complex across the street from Suncrest has been closed.

Most people living in the complex said they never spoke with Lukens. Those who know him best are his immediate neighbors, Don Dilts and Kelly Henderson, who

knew nothing about Lukens' trial

ignation amid another sex scandal, or the nine days he subsequently served for his conviction. They couldn't believe their neighbor had once been a congressman and spent 30 years in public life.

"He never said anything about it," said Henderson, 31, as she fed her baby, Katie, Friday morning. "He just seemed like he had something in his past. It was like the elevator didn't go all the way up."

"He sort of seemed like he'd been a salesman or something," said Dilts, 27. "He sort of has that feel."

Dilts, who once noticed a picture in Lukens' apartment of the former congressman shaking hands with Richard Nixon, "figured Bill was some kind of fundraiser for Nixon once."

"He doesn't like to open the door for anybody," said Dilts. "When I knock, he always shouts, 'Who's there?' He seems kind of lonely."

The two described Lukens as a sad old man who shutters the windows of his apartment whenever he goes out. Recently, he told

them he was going to Colorado for a while and offered them all his food.

Fenderson thought Lukens didn't work, because he is home all the time. Lukens told the FBI that he is a political consultant; his lawyer said the former congressman has been too ill in recent years to hold down a job full-time.

Grant, the maintenance man, did notice one or two signs of Lukens' former passion for politics. Much of his mail consists of political magazines, Grant said, and the walls of his apartment were lined with pictures of politicians.

"I was in there to fix a refrigerator once, and I saw all these pictures on the wall," Grant said. "Everywhere pictures of politicians, a lot of important people. But he never mentioned it to me. It is nice to me, but he never tells me anything about himself."

Michele Irwin contributed to this report.

(Mount Clipping in Space Below)

The New York Times

Ex-Representative Is Arrested by F.B.I.

WASHINGTON, Feb. 25 (AP) — A former United States Representative from Ohio, Donald (Buz) Lukens, has been arrested on charges that he had accepted bribes from two Ohio businessmen who wanted his help for their trade school.

Mr. Lukens, 64, who resigned from Congress in 1990 amid charges of sexual misconduct, was indicted by a Federal grand jury in Washington on charges of accepting \$27,500 from the businessmen, John Fitzpatrick and Henry Whitesell, who ran the Cambridge Technical Institute.

Mr. Fitzpatrick, of Middletown, Ohio, was indicted on charges of conspiring to bribe Mr. Lukens and of conspiring to conceal a fraud involving Government student loans and grants. Mr. Whitesell is dead, the Justice Department said. The F.B.I. made the arrests on Thursday.

If convicted on all counts, Mr. Lukens would face a maximum penalty of 65 years in prison and a \$1.25 million fine. Mr. Fitzpatrick could be sentenced to 70 years in prison and a \$1.5 million fine.

Both indictments stemmed from the Government's investigation of the former House bank. Mr. Lukens had large numbers of bad checks on his members-only account, but he was not charged in connection with any overdrafts.

Mr. Lukens, a Republican, was convicted in 1989 of a misdemeanor arising from his having had sex with a 16-year-old girl. He lost his 1990 primary and was trying to serve out the remainder of his term when a new accusation surfaced that he had made an improper advance toward a Capitol elevator operator.

(Indicate page, name of newspaper, city and state.)

NEW YORK TIMESDate: 2/26/95
Edition:Title: Ex-Representative
Is Arrested by F.B.I.

Character:

or 46A-WF-179870, SUB
Classification: uu
Submitting Office: WMFO

Indexing:

*46A-WF-179870, SUB UU
mz 3f-239
X9*

FBI

CND 016 W. 053
144TRANSMIT VIA:
 Teletype
 Facsimile
 AIRTELPRECEDENCE:
 Immediate
 Priority
 RoutineCLASSIFICATION:
 TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLASDate 2/22/95

FM FBI WMFO (46A-WF-179870 SUB UU) (P) (C-9)

TO DIRECTOR FBI/IMMEDIATE/
FBI CINCINNATI/IMMEDIATE/
FBI CLEVELAND/IMMEDIATE/
FBI DALLAS/IMMEDIATE/
FBI DENVER/IMMEDIATE/

BT

UNCLAS ARMED AND DANGEROUS

CITE: //3920//

PASS: FBIHQ, SSA [REDACTED] UNIT CHIEF [REDACTED]

Feb 22
6 03 PM '95

SUBJECT: BIG BOUNCE; MAJOR CASE # 55; OO: WMFO.

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS.

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ARMED AND DANGEROUS.

REFERENCE WMFO TELETYPE TO THE DIRECTOR DATED FEBRUARY
15, 1995, AND FEBRUARY 21, 1995 TELCALS BETWEEN SA [REDACTED]

[REDACTED], WMFO, NVMRA, AND SA [REDACTED] DALLAS DIVISION,

2-WMFO
CWS:aly
(2)46A-WF-179870 UU-240
SEARCHED INDEXED
SERIALIZED FILEDApproved: PFOriginal filename: CND 016 W. 053

Time Received:

Telprep filename: C1CND 016 W. 053MRI/JULIAN DATE: 2214/053

ISN:

030

FOX DATE & TIME OF ACCEPTANCE:

6:05 pm /ABGWFeb/ff

^PAGE 2 WMFO 46A-WF-179870 SUB UU UNCLAS

SA [REDACTED] CINCINNATI DIVISION, MIDDLETOWN RA, AND SA
[REDACTED] DENVER DIVISION, AND FEBRUARY 22, 1995 TELCALS
BETWEEN SA [REDACTED] AND SA [REDACTED] CLEVELAND DIVISION,
AKRON RA, AND SA [REDACTED] DALLAS DIVISION.

ADMINISTRATIVE:

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b7c

SUBJECT, [REDACTED] REGULARLY CARRIES A .45
CALIBER HANDGUN OR KEEPS SUCH WEAPON IN HIS DESK DRAWER.

[REDACTED] IS CONSIDERED TO BE A PRIME SUSPECT IN THE
UNSOLVED MURDER OF HIS BUSINESS PARTNER, HENRY WHITESELL.

[REDACTED] IS ALSO RESPONSIBLE FOR NUMEROUS THREATS AND
INTIMIDATION AGAINST POTENTIAL WITNESSES IN THE ABOVE
CAPTIONED MATTER. AS A RESULT, [REDACTED] IS CONSIDERED
ARMED AND DANGEROUS.

FOR THE INFORMATION OF THE BUREAU AND RECEIVING OFFICES,
ON FEBRUARY 22, 1995, SUBJECTS [REDACTED] AND FORMER
U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS WERE INDICTED BY A
FEDERAL GRAND JURY IN THE DISTRICT OF COLUMBIA ON BRIBERY AND
CONSPIRACY CHARGES. ARREST WARRANTS WERE ISSUED FOR BOTH
[REDACTED] AND LUKENS. THE INDICTMENTS HAVE BEEN SEALED
PENDING EXECUTION OF THE ARREST WARRANTS. RECEIVING OFFICES

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b7c

^PAGE 3 WMFO 46A-WF-179870 SUB UU UNCLAS

HAVE BEEN IN THE PROCESS OF ATTEMPTING TO ASCERTAIN THE WHEREABOUTS OF [REDACTED] AND LUKENS. THE FOLLOWING ARREST PLAN SHOULD BE FOLLOWED BY RECEIVING OFFICES. ON THURSDAY MORNING, FEBRUARY 23, 1995, THE CLEVELAND DIVISION, AKRON RA, WILL ATTEMPT TO ARREST [REDACTED] IN RAVENNA, OHIO. SHOULD EFFORTS TO LOCATE [REDACTED] IN RAVENNA FAIL, THE CINCINNATI DIVISION, MIDDLETOWN RA, WILL ATTEMPT TO LOCATE AND APPREHEND [REDACTED] AT HIS HOME IN MIDDLETOWN, OHIO. IT IS IMPORTANT THAT [REDACTED] BE ARRESTED PRIOR TO ANY ATTEMPTS BEING MADE TO ARREST LUKENS. ACCORDINGLY, THE DALLAS AND DENVER DIVISIONS SHOULD REFRAIN FROM MAKING ANY EFFORTS TO APPREHEND LUKENS UNTIL AFTER RECEIVING CONFIRMATION THAT [REDACTED] HAS BEEN ARRESTED. ONCE [REDACTED] IS ARRESTED, THE DALLAS DIVISION WILL ATTEMPT TO LOCATE AND ARREST LUKENS IN DALLAS, TEXAS. SHOULD ATTEMPTS TO LOCATE LUKENS IN DALLAS BE UNSUCCESSFUL, THE DENVER DIVISION SHOULD MAKE EFFORTS TO LOCATE LUKENS IN LITTLETON, COLORADO. ALL SIGNIFICANT DEVELOPMENTS REGARDING THE ARREST SHOULD BE REPORTED TO WMFO AS SOON AS POSSIBLE. ALL CONTACT CAN BE DIRECTED TO SA

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^PAGE 4 WMFO 46A-WF-179870 SUB UU UNCLAS

[REDACTED] AT TELEPHONE NUMBER [REDACTED] OR

PAGER NUMBER [REDACTED]

ARMED AND DANGEROUS.

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BT

SIG # 10-10

DATE 2/16/95

FORM DN-11 (REV. 05/17/93)
TO: NCIC/CCIC TERMINAL OPERATOR

SEARCH: REQUEST FOR D M V DOCUMENTS AND/OR NCIC/CCIC COMPUTER

THE FOLLOWING INFORMATION IS BEING SUBMITTED TO THE CCIC
COMPUTER TERMINAL OPERATOR FOR A COLORADO MOTOR VEHICLE DIVISION
(DMV) SEARCH AND/OR NCIC/CCIC COMPUTER SEARCH:

NAME Lukens, Donald Eddar SEX M RACE W
(LAST NAME, FIRST NAME, MIDDLE) M/F (B/W/A/U)

AKA Buz Lukens

ADDRESS _____
(STREET NUMBER, CITY, STATE)

DOB 2/11/31 DRIVER'S LICENSE _____ SSAN 286-28-8739

FBI NUMBER _____ LIC PLATE _____

LIC YEAR _____ LIC TYPE _____ LIC STATE CD CD CD CD

VEH MAKE _____ VEH YEAR _____ VIN 1HAD1DRC1P400008

OFFENSE _____ CH-A 150 Neg

Please

PLEASE FURNISH THE FOLLOWING RECORD(S):

<input checked="" type="checkbox"/> COPY OF DRIVER'S LICENCE INFO (COMPUTER PRINT-OUT)	<input checked="" type="checkbox"/> SEARCH NCIC WANTED PERSON FILE	<u>Meg</u>
<input checked="" type="checkbox"/> COPY OF DRIVER'S APPLICATION (DMV APPLICATION/FINGERPRINT)	<input checked="" type="checkbox"/> SEARCH CCIC WANTED PERSON FILE	<u>Meg</u>
<input checked="" type="checkbox"/> COPY OF DRIVER'S LICENCE PHOTO (DMV PHOTOGRAPH)	<input checked="" type="checkbox"/> SEARCH NCIC CRIMINAL HISTORY (CCH)	<u>Meg</u>
<input checked="" type="checkbox"/> COPY OF DRIVER'S HISTORY RECORD (TICKETS/VIOLATIONS, ETC.)	<input checked="" type="checkbox"/> SEARCH CCIC CRIMINAL HISTORY (CCH)	<u>Meg</u>
<input checked="" type="checkbox"/> COPY OF VEHICLE REGISTRATION (COMPUTER PRINT-OUT)	<input checked="" type="checkbox"/> OBTAIN AN SSAN FROM DMV	b6 b7c
<input checked="" type="checkbox"/> LOCAL ARREST RECORDS (EXCEPT DPD/LAKWOOD P.D.)	<input checked="" type="checkbox"/> QUERY STATEWIDE NARCOTICS INTELLIGENCE	<u>PLW</u>

MM 2/16/95 Att for CDH
(OPERATOR/DATE COMPLETED)

DENVER FILE # 46A-WF-179870

(MANDATORY FOR CRIMINAL HISTORY)

46A-WF-179870 UC

Plw 3 -241

wpl/322

02/16/95 18:22:15 Message received from NLETS

DR.OHOLN0000
18:28 02/16/95 07526
18:30 02/16/95 06883 COFBIDN00
*FBI 21010
TXT

LUKENS, DONALD E
10104 SR 73E , HARVEYSBURG , OH 45032
SEX/M. DOB/021131. HGT/511. WGT/185. HAI/BRO. EYE/BLU.
SOC/286288739. OLN/QE848912. OLT/OPERATOR. EXP 021196
RSTR: CORRECTIVE LENSES *-7010 DL*
STATUS: VALID

Message sent 2/16/95 18:43
02/16/95 18:23:59 Message received from NLETS

DR.OHOLN0000
18:29 02/16/95 07531
18:32 02/16/95 06934 COFBIDN00
*FBI 21010
TXT

Mary
LUKENS, DONALD E
10104 SR 73E , HARVEYSBURG , OH 45032
SEX/M. DOB/021131. HGT/511. WGT/185. HAI/BRO. EYE/BLU.
SOC/286288739. OLN/QE848912. OLT/OPERATOR. EXP 021196
RSTR: CORRECTIVE LENSES *Cleveland*
STATUS: VALID

Message sent 2/16/95 18:53

[Signature] SP CT 3/17/95
(513) *Nothing*
on that
street

ATTN: [REDACTED]
OV NO RECORD DOB/021131 NAM/LUKENS, DONALD
Message sent 2/16/95 22:44

02/16/95 22:44:23 Message received from NCIC

*** ATTENTION: [REDACTED]
1L01FBI 116204
COFBIDN00
NO NCIC WANT DOB/021131 NAM/LUKENS, DONALD SEX/M
Message sent 2/16/95 22:44
ATTN: 1010
ATTENTION: SA [REDACTED]

QH NO CCIC RECORD SOC/286288739
Message sent 2/16/95 22:45
02/16/95 22:45:33 Message received from NCIC

b6
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*** ATTENTION: CAR 1010
NL01FBI 21010
COFBIDN00
NO IDENTIFIABLE RECORD IN THE NCIC INTERSTATE IDENTIFICATION INDEX
(III) FOR NAM/LUKENS, DONALD. SEX/M. RAC/W. DOB/021131. SOC/286288739. PUR/C.
NOTICE -- THIS DOES NOT PRECLUDE THE POSSIBLE EXISTENCE OF MATCHING
RECORDS IN LOCAL, STATE, OR FBI IDENTIFICATION DIVISION FILES THAT ARE
NOT INDEXED IN THE NCIC III. IF YOU DESIRE A SEARCH OF THE FBI
IDENTIFICATION DIVISION FILES, A FINGERPRINT CARD SHOULD BE SUBMITTED.
END

Message sent 2/16/95 22:45
02/16/95 22:48:07 Message received from NLETS

IR.OHSIR0000
22:56 02/16/95 09216
22:56 02/16/95 07981 COFBIDN00
*FBI 116204
TXT

PUR/C.ATN/SA [REDACTED]
NAM/LUKENS, DONALD. DOB/021131.
SEX/M. RAC/W. SOC/286288739. MNU/

1) SID/B350610 HIT/S N NAM/LUKENS, DONALD EDGAR
DOB/021131 POB/OH SEX/M RAC/W HGT/511 WGT/199 EYE/BLU HAI/BRO
FBI/ SOC/286288739 MNU/ AN-W115227
HFP/17M 15 U OOI O FPC/PM 17 PO PI PO SMT/SC NECK
I 32 W OII 14 PI PO PI PI 14

NOTHING FOLLOWS
Message sent 2/16/95 22:48

02/16/95 22:51:52 Message received from NLETS

ER.NL0000000
23:00 02/16/95 06829
23:00 02/16/95 07996 COFBIDN00
*FBI 116204
TXT
.19. SID FIELD INVALID

.FQ.COFBIDN00.OH.*FBI 116204.TXT
PUR/C.ATN/SA [REDACTED].SID/OH-B350610
.DPT/F B I
.ADR/P O BOX 1

b6
b7c

Message sent 2/16/95 22:52
02/16/95 22:58:56 Message received from NLETS

FR.OHSIR0000
23:07 02/16/95 09295
23:07 02/16/95 08019 COFBIDN00
*FBI 116204
TXT
PUR/C.ATN/SA [REDACTED]
DPT/F B I [REDACTED] .BLD/
X 1229 .CIS/DENVER, CO .ADR/P O BO
[REDACTED] .ZIP/80201

PAGE 01
THE FOLLOWING RECORD PERTAINS TO SID/OHB350610

STATE OF OHIO, OFFICE OF THE ATTORNEY GENERAL LEE FISHER
BUREAU OF CRIMINAL IDENTIFICATION & INVESTIGATION (OHBCI0000)

P.O. BOX 365, LONDON, OHIO 43140

VALIDATED CRIMINAL HISTORY RECORD DRE/013191 DLU/013191
MKE/QROFQ PUR/C REQ-ORI/COFBIDN00 DATE/02-17-95 TIME/00:59:34

BCI/B350610 NAM/LUKENS, DONALD EDGAR DOB/021131 POB/OH AGE/64
SEX/M RAC/W HGT/511 WGT/199 EYE/BLU HAI/BRO SMT/SC NECK
FBI/ SOC/286288739 MNU/AN-W115227 FPC/ PM 17 PO PI PO
ICO/ PI PO PI PI 14
MORE PAGES
LKA/10104 SR 73 E HARVEYSBURG OH HFP/17M 15 U OOI O
HCC/01 [REDACTED] I 32 W QII 34

*** ADDITIONAL IDENTIFYING DATA
SMT/SC FHD

CYCLE/01 DOA/010591-----DRE/013191 DLU/013191

ARREST AGENCY/OH0250000 SO - FRANKLIN ARREST#/W115227
DOO/010591 01/CONTRIBUTE TO
UNRULINESS OF MINOR M1
2919.24
ADD/CS# 89CR02814

JUDICIAL 01/CONTRIBUTE TO DISP/CONVICTED

UNRULINESS OF A MINOR
M1
2919.24
PROVISIONS/COURT COSTS
\$500 SUSP

CONFINEMENT/180D
SUSPENDED SENTENCE/150D
FINE/1000

CUSTODY-SUPERVISION

MORE PAGES

A/RECEIVED-
AGENCY/OH0250000 SO - FRANKLIN

WHERE DISPOSITIONS ARE NOT SHOWN -OR- FURTHER EXPLANATION OF A DISPOSITION OR
CHARGE IS DESIRED, PLEASE CONTACT THE ARRESTING AGENCY.
THIS DATA, BASED ON FINGER PRINT IDENTIFICATION BY BCI, IS ONLY TO BE USED FOR
CRIMINAL JUSTICE PURPOSES AS DEFINED BY THE NCIC ADVISORY POLICY BOARD.

END OF PAGE 01 - END OF RECORD

Message sent 2/16/95 23:00

Memorandum

To : SAC, DENVER (46A-WF-179870)
ATTN: SA [redacted]

From : BUTTE INFORMATION TECHNOLOGY CENTER (ITC) -
INVESTIGATIVE INFORMATION SERVICES CENTER (IISC)

Subject: DONALD LUKENS
RECORD #68006

Date 2/22/95

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Attached are copies of printouts setting forth results of inquiries conducted by the IISC. Also attached is a copy of an accomplishment/reply form. It is requested that you record the IISC accomplishments on this form and return it to the IISC. Please maintain an additional copy with the computer printouts as a serial in your case file.

Set forth below is a brief synopsis of results of inquiries.

Enclosed are property records along with possible addresses for the subject. If you have any questions regarding any of the enclosed documents please call me.

Should additional contact be necessary, this request was processed by IISC Analyst [redacted] who can be reached at FTS: [redacted] Commercial: [redacted]

b6
b7c

(2) - Denver (Enc. 2)
Attn: 46A Special Agent Supervisor
Note: Copy forwarded to Case Agent via fax on 02/22/95.

1 - Butte ITC

LJS/ljs
W (3)

46A-WF-179870 UU-242

mf mf

mm/jas

FEB-22-1995 10:39 AM BUTTE INFORMATION CENTER TO 13036283085 P.02
FEB-16-1995 18:16 FROM FBI DENVER IU



INVESTIGATIVE INFORMATION REQUEST FORM

FBI, Butte Information Technology Center
400 North Main Street, Room #115
Butte, Montana 59701

- » Commercial Telephone: (406) 782-2304
- » FTS: 700-585-2391 » FAX: (406) 782-9504, 782-9507 & 782-7418
- » Secure FAX & STU III: (406) 782-2304, Ext. 26

BITC Use Only: BITC Record #: 68006
Date/Time In: 2/16/95 17:18 9 am pm
Date/Time Out: 2/16/95 17:20 9 am pm
Database(s) Used:

1. bus 5. MM 9.
2. bu 6. DN 10.
3. ef 7. 11.
4. 8. 12.

Handled By: _____

TO: FBI BUTTE INFORMATION TECHNOLOGY CENTER

Date: 2/16/95

Forfeiture/Seizure Related: Type of Request: FAX Telcal Mail Reply: FAX Telcal Mail
Requestor: SA Phone # FAX # 403/688-3025 UCEN: 461-WF-129870
(The UCEN (File #) is Required.)

Office/RA: _____

Fugitive: Yes No NCIC Activity/Date: _____
CCW Conducted: Yes No Off-Lines Searches Conducted: _____
Driver's Lic. Conducted: Yes No Subject: Yes No Vehicle: Yes No Driver's Licence: Yes No
Driver's License #: _____ State: _____ Vehicle Registration: _____ State: _____

SEARCH CRITERIA (Attach additional sheets if necessary)

Name - Last: LUKEMAN First: Donald Middle: E. J. S.

Aliases:邹 Sex: M DOB1: 2/11/13 DOB2: 1/1/1

SSAN1: 286 28 - 973 SSAN2: Spouse: _____

RESIDENCE

Street Address: _____ City/State: _____ Zip: _____ Phone: _____

BUSINESS

Business Name: _____ Street Address: _____

City/State: _____ Zip: _____ Phone: _____ Business ID#: _____

CHECK DESIRED SEARCH PARAMETERS (Please check only those that are needed)

1. Specific Information Desired Last known address

2. Determine All Individuals Associated w/ Social Security Number(s)

3. Report Validity of Social Secu

4. Employment Report (subject to INQUIRY WILL POST TO CONSUMER'S ACCOUNT)

5. Determine Who is Associated w/ _____ Number(s)

6. Determine Address of Business Person (X U.S. _____, _____ State(s))

7. Determine Property Owned by Individual (X U.S. _____, _____ State(s))

8. Determine Who Owns Property Listed Above

9. Determine Who Resides at Address Listed Above

10. Determine Financial Background Info, Financial Associates/Institutions (NOT FULL CREDIT REPORTING)

11. Determine Corporate Business Info/Institutions Associated with: _____ (Person/Business)

Reply From: FBI, Butte Information Technology Center (BITC)

b6
b7c

Return Reply To:

SAC: Deniver

Attention: SA

Based on search criteria, marked records are attached.

Possible Identifiable Records

Other Peripheral Information

Brief Synopsis of Information Found

No Information Found

TOTAL 0 01

FEB-22-1995 10:40 FROM

BUTTE INFORMATION CENTER TO

13036283085 P.04

***** EQUIFAX DTEC *****
* FBI, BUTTE ITC-INVESTIGATIVE INFORMATION SERVICES *
*

DATE: 02-22-1995 TIME: 09:58:53 SUBJECT ID: DTEC

DTEC-286-28-8739.

✓ Validity

DATE ISSUED PRIOR-1951 STATE ISSUED-OH

M1 OF 1 NM-LUKENS, DONALD, E CA-5444, PETERSON, LN APT 1035, DALLAS, TX, 75240, 11/94
FA-1100, 6TH SW 515, ST SW #814, WASHINGTON, DC, 20024, 01/95
SS-286-28-8739

FN-LUKENS, CONG, D

FN-LUKENS, GMA, D

FN-LUKENS, HON, DONALD&

END OF REPORT EQUIFAX AND AFFILIATES - 02/22/95

*** END OF REPORT ID: 02-22-1995/09:58:53 (ORN: 431) ***

***** TRANS UNION TRACE *****
* FBI, BUTTE ITC-INVESTIGATIVE INFORMATION SERVICES *

DATE: 02-22-1995 TIME: 09:59:38 SUBJECT ID: TRACE

TRACE 286288739

TRANS UNION TRACE REPORT

FOR	MKT/SUB	INFILE	DATE	TIME
QHO2870077	15 SC		02/22/95	9:56CT
RPT ON	SSN		DOB	
* SOCIAL SECURITY NUMBER TRACE *	286-28-8739			
NAME/SPOUSE		SSN OWNER		
ADDRESS		ADDR RPT DATE		
1. LUKENS, DONALD E		SUBJECT		
5444 PETERSON LN., DALLAS TX., 1035 75240		08/94		
19400 LANDMARK BV., DALLAS TX. 75240		07/94		
14900 LANDMARK BV., DALLAS TX., 616 75240				
2. LUKENS, DONALD E		SUBJECT		
1000 6TH ST SW, WASHINGTON DC. 20024		09/94		
19400 LANDMARK BV., DALLAS TX., 616 75240		07/94		
1100 6TH ST SW, WASHINGTON DC. 20024				

END OF NETWORK TRACE

COPYRIGHT 1993, TRANS UNION CORPORATION

GO

*** END OF REPORT ID: 02-22-1995/09:59:38 (ORN: 432) ***

117 CHOB YOB: 1931
WASHINGTON DC 20515
RPTD: 2-90 TO 6-94

1000 6TH ST SSN: 286-28-8739
WASHINGTON DC 20024 YOB: 1931
RPTD: 12-90 TO 1-94

DONALD E LUKENS SSN: 286-28-8739
5444 PETERSON LN APT 1035 YOB: 1931
DALLAS TX 75240
RPTD: 7-94 TO 8-94

14900 LANDMARK BLVD
DALLAS TX 75240
RPTD: 5-94 TO 6-94

1100 6TH ST
WASHINGTON DC 20024
RPTD: 10-93 TO 3-94

1000 6TH ST
WASHINGTON DC 20024
RPTD: 2-89 TO 3-94

117 CANNON BUILDING
WASHINGTON DC 20515
RPTD: 6-87 TO 10-90

PO BOX 329 N: 286-28-8739
MIDDLETOWN OH 45042 YOB: 1931
RPTD: 3-90 TO 8-90

DONALD E LUKENS SSN: 286-28-8739
1100 6TH ST YOB: 1931
WASHINGTON DC 20024
RPTD: 5-94

CON D LUKENS SSN: 286-28-8739
0000 6 20024 YOB: 1931

DON E LUKENS SSN: 286-28-8739
1100 P 45042 YOB: 1931

1000 X 20024

END -- TRW SOCIAL SEARCH

FEB-22-1995 10:41 FROM BUTTE INFORMATION CENTER TO 13036283085 P.06

***** TRANS UNION TRACE *****
* FBI, BUTTE ITC-INVESTIGATIVE INFORMATION SERVICES *

DATE: 02-22-1995 TIME: 09:59:38 SUBJECT ID: TRACE

TRCE 286288739

TRANS UNION TRACE REPORT

FOR QHO2870077
RPT ON * SOCIAL SECURITY NUMBER TRACE *
NAME/SPOUSE
ADDRESS

MKT/SUB	INFILE	DATE	TIME
15 SC	SSN	02/22/95	9:56CT
	286-28-8739	DOB	
		SSN OWNER	
		ADDR RPT DATE	

1. LUKENS, DONALD E	SUBJECT
5444 PETERSON LN., DALLAS TX., 1035 75240	08/94
19400 LANDMARK BV., DALLAS TX. 75240	07/94
14900 LANDMARK BV., DALLAS TX., 616 75240	
2. LUKENS, DONALD E	SUBJECT
1000 6TH ST SW, WASHINGTON DC. 20024	09/94
19400 LANDMARK BV., DALLAS TX., 616 75240	07/94
1100 6TH ST SW, WASHINGTON DC. 20024	

END OF NETWORK TRACE

COPYRIGHT 1993, TRANS UNION CORPORATION

GO

*** END OF REPORT ID: 02-22-1995/09:59:38 (ORN: 432) ***

***** TRW SOCIAL SEARCH *****
* FBI, BUTTE ITC-INVESTIGATIVE INFORMATION SERVICES *
* *****

DATE: 02-22-1995 TIME: 10:02:10 SUBJECT ID: SOCIAL SEARCH

9-286288739 V-04/042/3.34

PAGE 1 DATE 2-22-95 TIME 7:58:30 PCR05 V306

CONG DONALD LUKENS SSN: 286-28-8739
117 CHOB YOB: 1931
WASHINGTON DC 20515
RPTD: 2-90 TO 6-94

1000 6TH ST
WASHINGTON DC 20024
RPTD: 12-90 TO 1-94

DONALD E LUKENS SSN: 286-28-8739
5444 PETERSON LN APT 1035 YOB: 1931
DALLAS TX 75240
RPTD: 7-94 TO 8-94

14900 LANDMARK BLVD
DALLAS TX 75240
RPTD: 5-94 TO 6-94

1100 6TH ST
WASHINGTON DC 20024
RPTD: 10-93 TO 3-94

1000 6TH ST
WASHINGTON DC 20024
RPTD: 2-89 TO 3-94

117 CANNON BUILDING
WASHINGTON DC 20515
RPTD: 6-87 TO 10-90

PO BOX 329
MIDDLETOWN OH 45042
RPTD: 3-90 TO 8-90

DONALD_E_LUKIEWS SSN: 286-28-8739
1100 6TH ST YOB: 1931
WASHINGTON DC 20024
RPTD: 5-94

CON D LUKENS SSN: 286-28-8739
0000 6 20024 YOB: 1931

DON E LUKENS SSN: 286-28-8739
1100 P 45042 YOB: 1931

1000 X 20024

END -- TRW SOCIAL SEARCH

FD-441 (Rev. 11-18-93)

WMFO

COMPLETE FORM - Return To _____

Date

2-22-95

Dispatch to

DV

Accountable Number

145 8821 174

Method of Dispatch

Registered

USPS Express

Federal Express

Checked by

Packaged by

BS

RECEIPT

Received by

Date and Time Received

FEB-22-1995 10:41 FROM BUTTE INFORMATION CENTER TO

13036283085 P.08

*** END OF REPORT ID: 02-22-1995/10:02:10 (ORN: 434) ***

***** TRW ADDRESS UPDATE *****
* FBI, BUTTE ITC-INVESTIGATIVE INFORMATION SERVICES *
* *****

DATE: 02-22-1995 TIME: 10:10:31 SUBJECT ID: ADDRESS UPDATE

LUKENS, DONALD EDGAR 286288739;
CA-5444 PETERSON LN APT 1035/DALLAS TX 75240;
G-G, V-04/042/3.34, H-Y;

1 02/22/95 08:06:51 CS01 206 LUKENS TTX2

-----*ATTN* FILE VARIATION: STREET INIT IS 6, ZIP IS 20024

DONALD E LUKENS
1000 6TH ST SW
WASHINGTON DC 20024
RPTD: 3-94

SSN: 286288739

-----*ATTN* FILE VARIATION: STREET INIT IS 6, ZIP IS 20024

DONALD EDGAR LUKENS
1100 6TH ST SW
WASHINGTON DC 20024
RPTD: 10-93 TO 3-94

SSN: 286288739

-----*ATTN* FILE VARIATION: STREET INIT IS #, ZIP IS 45042

DONALD E LUKENS
PO BOX 329
MIDDLETOWN OH 45042
RPTD: 11-93

SSN: 286288739

-----*ATTN* FILE VARIATION: ZIP IS 45042/OTHER FILE IDENT: YOB IS 1931,

SPOUSE INIT IS T
DONALD E LUKENS
PO BOX 329
MIDDLETOWN OH 45042
RPTD: 3-90 TO 8-90

SSN: 286288739

-----FILE IDENT: YOB IS 1931

DONALD E LUKENS
5444 PETERSON LN APT 1035
DALLAS TX 75240-5145
RPTD: 7-94 TO 8-94

SSN: 286288739

>>> CHECKPOINT >>> *** AKA SEARCH *** LASTNAME IS LUKIEWS, STREET INIT IS 6
ZIP IS 20024/OTHER FILE IDENT: YOB IS 1931

DONALD E LUKIEWS
1100 6TH ST SW 515
WASHINGTON DC 20024
RPTD: 5-94

SSN: 286288739

***** MORE

WHS 3099333 LUKENS, DONALD EDGAR 286288739; CA-5444 PETERSON LN APT 1035/DAL

2 02/22/95 08:06:51 CS01 206 LUKENS TTX2

ADDRESS LOCATED REPORT TYPE G
NOT TO BE USED FOR CREDIT GRANTING.
MAY CONTAIN INFORMATION FOR MORE THAN ONE CONSUMER
-----END

*** END OF REPORT ID: 02-22-1995/10:10:31 (ORN: 435) ***

500000

TIME: 10:21:24 METRONET ON-LINE INFORMATION SYSTEM DATE: 02/22/95
----- ADDRESSES ----- VER : 4.1
OPTION : A (E)DA (N)BRS (A)DDR (P)HN (Z)IP (C)ITY (S)TATE (U)S
 (M)ENU (H)ELP (F)WD (B)ACK (W)METRO AREA (X)CLEAR
SELECTION : FILE : R (R)ESIDENTIAL (B)USINESS

NAME : DONALD LUKENS FIRST NAME (Y/N) : N STREET NAME (Y/N) : N
HOUSE# : 5444 STREET: PETERSON LN #1035
CITY : DALLAS ST : TX ZIP CODE: 75240 PHONE #: () -

RETURNED NAME/ADDRESS

CURRENT OCCUPANT UNKNOWN
5444 PETERSON LN
DALLAS TX 75240
(000) 000 - 0000

GENDER : UNKNOWN LENGTH OF RES : 00
MEDIAN INCOME : 0039.2K HOME OWNER PROB :
WEALTH RATING : C HOME VALUE : 0000.0K
DATE OF BIRTH : HOME VALUE INDEX: 000
 DWELLING TYPE : 100+

SO IN SESSION READY COMM OK

■■■ A0 DCD RAP

TIME: 10:21:33 METRONET ON-LINE INFORMATION SYSTEM DATE: 02/22/95
----- N E I G H B O R S ----- VER : 4.1
OPTION : N (E)DA (N)BRS (A)DDR (P)HN (Z)IP (C)ITY (S)TATE (U)S
(M)ENU (H)ELP (F)WD (B)ACK (W)METRO AREA (X)CLEAR
SELECTION : FILE : R (R)ESIDENTIAL (B)USINESS
> ENTER R IN THE OPTION FIELD TO RETURN TO THE PREVIOUS ADDRESS SCREEN <
NAME : DONALD LUKENS FIRST NAME (Y/N) : N STREET NAME (Y/N) : N
HOUSE# : 5444 STREET: PETERSON LN #1035
CITY : DALLAS ST : TX ZIP CODE: 75240 PHONE #: () -

CURRENT	OCCUPANT UNKNOW	(000) 000 - 0000	TY	75240	100+	00
SEL NO					U	TYPE LOR
1					100+	06
2					100+	b6 04
3					100+	b7C v9
4					100+	04
5					100+	02

NEIGHBORS 01 TO 05 OF 30 ARE DISPLAYED. PRESS ENTER FOR THE NEXT PAGE.
SO IN SESSION READY COMM OK

← A0 DCD RAP

TIME: 10:21:43 METRONET ON-LINE INFORMATION SYSTEM DATE: 02/22/95
----- E D A ----- VER : 4.1
OPTION : E (E)DA (N)BRS (A)DDR (P)HN (Z)IP (C)ITY (S)TATE (U)S
 (M)ENU (H)ELP (F)WD (B)ACK (W)METRO AREA (X)CLEAR
SELECTION : FILE : R (R)ESIDENTIAL (B)USINESS
***> ENTER R IN THE OPTION FIELD TO RETURN TO THE PREVIOUS NEIGHBOR SCREEN <**
NAME : DONALD LUKENS FIRST NAME (Y/N): N STREET NAME (Y/N): N
HOUSE# : 5444 STREET: PETERSON LN #1035
CITY : DALLAS ST : TX ZIP CODE: 75240 PHONE #: () -

SEL NO

CONFIDENCE CD

1 NOT AVAILABLE FOR DISPLAY NP

1X

THIS IS THE LAST PAGE OF DATA FOR YOUR SEARCH.
SO IN SESSION READY COMM OK

A0 DCD RAP

TIME: 10:22:11 METRONET ON-LINE INFORMATION SYSTEM DATE: 02/22/95
----- ADDRESS VER : 4.1
OPTION : A (E)DA (N)BRS (A)DDR (P)HN (Z)IP (C)ITY (S)TATE (U)S
(M)ENU (H)ELP (F)WD (B)ACK (W)METRO AREA (X)CLEAR
SELECTION : FILE : R (R)ESIDENTIAL (B)USINESS

NAME : DONALD LUKENS FIRST NAME (Y/N) : N STREET NAME (Y/N) : N
HOUSE# : 1100 STREET: 6TH SW #814
CITY : WASHINGTON ST : DC ZIP CODE: PHONE #: () -

RETURNED NAME/ADDRESS

CURRENT OCCUPANT UNKNOW
1100 6TH ST SW
WASHINGTON DC 20024
(000)-000-0000

GENDER : UNKNOWN LENGTH OF RES : 00
MEDIAN INCOME : 0084.9K HOME OWNER PROB :
WEALTH RATING : B HOME VALUE : 0267.2K
DATE OF BIRTH : HOME VALUE INDEX: 216
DWELLING TYPE : 100+

S0 IN SESSION READY COMM OK

A0 DCD RAP

888888

TIME: 10:22:21 METRONET ON-LINE INFORMATION SYSTEM DATE: 02/22/95
----- N E I G H B O R S ----- VER : 4.1
OPTION : N (E)DA (N)BRS (A)DDR (P)HN (Z)IP (C)ITY (S)TATE (U)S
(M)ENU (H)ELP (F)WD (B)ACK (W)METRO AREA (X)CLEAR
SELECTION : FILE : R (R)ESIDENTIAL (B)USINESS
**> ENTER R IN THE OPTION FIELD TO RETURN TO THE PREVIOUS ADDRESS SCREEN
NAME : DONALD LUKENS FIRST NAME (Y/N): N STREET NAME (Y/N): N
HOUSE# : 1100 STREET: 6TH SW #814
CITY : WASHINGTON ST : DC ZIP CODE: PHONE #: () -

CURRENT OCCUPANT UNKNOW (000) 000 - 0000
1100 6TH ST SW WASHINGTON DC 20024 100+ 00
DU TYPE LOR

SEL NO

1		100+	02
2		100+	08
3		100+	b6 04
4		100+	b7C
5		100+	09
		100+	16

NEIGHBORS 01 TO 05 OF 30 ARE DISPLAYED. PRESS ENTER FOR THE NEXT PAGE.

SO IN SESSION READY COMM OK

← A0 DCD RAP

00000000

TIME: 10:22:34 METRONET ON-LINE INFORMATION SYSTEM DATE: 02/22/95
E D A VER : 4.1

OPTION : E (E)DA (N)BRS (A)DDR (P)HN (Z)IP (C)ITY (S)TATE (U)S
(M)ENU (H)ELP (F)WD (B)ACK (W)METRO AREA (X)CLEAR

SELECTION : FILE : R (R)ESIDENTIAL (B)USINESS
> ENTER R IN THE OPTION FIELD TO RETURN TO THE PREVIOUS NEIGHBOR SCREEN <

NAME : DONALD LUKENS FIRST NAME (Y/N): N STREET NAME (Y/N): N
HOUSE# : 1100 STREET: 6TH SW #814
CITY : WASHINGTON ST : DC ZIP CODE: PHONE #: () -

SEL NO

CONFIDENCE CD

1
2
3
4
51N
20
30
b6
40 b7C
50

EDA NAMES 01 TO 05 OF 10 ARE DISPLAYED. PRESS ENTER FOR THE NEXT PAGE.
SO IN SESSION READY COMM OK

← A0 DCD RAP

TIME: 10:22:49 METRONET ON-LINE INFORMATION SYSTEM DATE: 02/22/95
----- E D A ----- VER : 4.1
OPTION : E (E)DA (N)BRS (A)DDR (P)HN (Z)IP (C)ITY (S)TATE (U)S
 (M)ENU (H)ELP (F)WD (B)ACK (W)METRO AREA (X)CLEAR
SELECTION : FILE : R (R)ESIDENTIAL (B)USINESS
> ENTER R IN THE OPTION FIELD TO RETURN TO THE PREVIOUS NEIGHBOR SCREEN <
NAME : DONALD LUKENS FIRST NAME (Y/N) : N STREET NAME (Y/N) : N
HOUSE# : 1100 STREET: 6TH SW #814
CITY : WASHINGTON ST : DC ZIP CODE: PHONE #: () -

SEL NO

CONFIDENCE CD

6
7
8
9
1060
70
80
90
00b6
b7c

THIS IS THE LAST PAGE OF DATA FOR YOUR SEARCH. PRESS ENTER TO RETURN TO PAGE 1
SO IN SESSION READY COMM OK

➡ A0 DCD RAP

MAIL-IT REQUESTED FEBRUARY 22, 1995

103T3F

CLIENT:
LIBRARY: FINDER
FILE: P-FIND

YOUR SEARCH REQUEST AT THE TIME THIS MAIL-IT WAS REQUESTED:
LUKENS, DONALD

NUMBER OF DOCUMENTS FOUND WITH YOUR REQUEST THROUGH:
LEVEL 1... 19

LEVEL 1 PRINTED

DISPLAY FORMAT: CITE

Anything printed on file that you would like
in full format - let me know

SEND TO: BUTTE, 7
FBI
400 N. MAIN STREET
BUTTE MONTANA 59701-3866

*****08927*****

LEXIS•NEXIS  **LEXIS•NEXIS**  **LEXIS•NEXIS** 
Services of Mead Data Central, Inc.

FEB-22-1995 10:44 F

BUTTE INFORMATION CENTER TO

13036263085 P.19

PAGE 1

LEVEL 1 - 19 DOCUMENTS

80000001

b6
b7C

LEXIS•NEXIS® **LEXIS•NEXIS®** **LEXIS•NEXIS®**

Services of Mead Data Central, Inc.

10

FEB-22-1995 10:44 AM BUTTE INFORMATION CENTER TO 13036283085 P.20

MAIL-IT REQUESTED: FEBRUARY 22, 1995

103T3F

CLIENT:
LIBRARY: ASSETS
FILE: ALLOWN

YOUR SEARCH REQUEST AT THE TIME THIS MAIL-IT WAS REQUESTED:
LUKENS W/3 DONALD

NUMBER OF RECORDS FOUND WITH YOUR REQUEST THROUGH:
LEVEL 1... 14

LEVEL 1 PRINTED

DISPLAY FORMAT: CITE

SEND TO: BUTTE, 7
FBI
400 N. MAIN STREET
BUTTE MONTANA 59701-8866

*****08960*****

LEXIS-NEXIS  **LEXIS-NEXIS**  **LEXIS-NEXIS** 
Services of Mead Data Central, Inc.

FEB-22-1995 10:45 FROM BUTTE INFORMATION CENTER TO

13036283085 P.21

PAGE 1

LEVEL 1 • 14 RECORDS

b6
b7C

480000

LEXIS•NEXIS® LEXIS•NEXIS® LEXIS•NEXIS®

Services of Mead Data Central, Inc.

14
TOTAL P.21

C-9

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 2/23/95

TO : SAC, WMFO
 FROM : SAC, Denver (46A-WF-179870) (RUC)
 SUBJECT : BIG BOUNCE;
 Major Case #55;
 OO: WMFO

Re WMFO teletype to the Director, 2/15/95;
 Cleveland teletype to the Director, 2/23/95, and
 WMFO telcals to Denver, 2/23/95.

Enclosed for WMFO are two copies each of a Butte Information Technology Center (BITC) check on subject DONALD LUKENS and the results of a national DMV and criminal history check done on LUKENS in Denver.

By referenced WMFO teletype of 2/15/95, Denver was advised that subject LUKENS was believed to be in the Denver or Dallas areas and that an arrest warrant for him was anticipated.

By referenced Cleveland teletype and WMFO telcals, Denver was advised of the arrests of subjects [REDACTED] and LUKENS. Since no further investigation remains to be conducted in Denver, this matter is considered RUC.

b6
b7C

SUBJECT [REDACTED] SHOULD BE CONSIDERED ARMED AND DANGEROUS.
SUBJECT LUKENS SHOULD BE CONSIDERED A FLIGHT RISK.

(2)- WMFO (Enc. 4)
 2 - Denver

PWL/pwl

(4) Pos Neg

GENERAL INDICES:

 Automated SearchWF: Pos Neg AX: Pos Neg Manual SearchApproved: Pos NegTransmited Pos Neg

(Number) (Time)

46A-WF-179870-SUB UU

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 2 1995	

-243

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/23/95

Pursuant to the issuance of an arrest warrant, based on an indictment returned in the District of Columbia, in case CR 95-0042, on February 22, 1995, [redacted] was arrested at his residence, [redacted] Kent, Ohio 44240. The arrest was affected by Agents of the Federal Bureau of Investigation at 9:51 a.m.

[redacted] is further described as follows:

Sex:	Male
Race:	White
Height:	5'5"
Weight:	140 pounds
Eyes:	Brown
Hair:	Black
DOB:	[redacted]
POB:	Middletown, Ohio
SSAN:	[redacted]
Address:	[redacted] Kent, Ohio 44240
Telephone Number:	[redacted]
Employer:	Bohecker's Business College 161 East Main Street Ravenna, Ohio 44266
Position:	Owner/President

b6
b7C

Investigation on 2/23/95 at Akron, Ohio File # 46A-WF-179870
by SAs [redacted] Date dictated 2/23/95 WU-244

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/23/95

Pursuant to the arrest of [redacted] at his residence, [redacted] Kent, Ohio, the following observations were made:

ARREST LOGb6
b7C

<u>TIME</u>	<u>ACTIVITY</u>
9:40 a.m.	Telephone contact was made with [redacted] and his location was ascertained.
9:51 a.m.	[redacted] was contacted at his residence, [redacted] Kent, Ohio, by agents of the Federal Bureau of Investigation (FBI) and was placed under arrest..
9:52 a.m.	[redacted] was allowed to attempt to contact his attorney, arrange for the release of his son from school, and for an employee of his company to pick up his son.
10:02 a.m.	[redacted] was transported to the United States Courthouse in Akron, Ohio by Bureau vehicle.
10:33 a.m.	[redacted] arrived in the FBI office at the United States Courthouse.
10:37 a.m.	[redacted] was allowed to make several personal telephone calls.
10:54 a.m.	[redacted] was supplied water to drink, per his request.

b6
b7C

Investigation on 2/23/95 at Akron, Ohio File # 46A-WF-179870 111-245by SAS [redacted] Date dictated 2/23/95

46A-WF-179870

Continuation of FD-302 of _____, On 2/23/95, Page 2

11:07 a.m. [redacted] was released into the custody of the United States Marshall's Service for processing and lunch.

1:11 p.m. [redacted] was transported by USMs to an initial appearance before United States Magistrate Judge JAMES GALLAS. GALLAS ordered [redacted] detained and held by the USMS.

b6
b7C

Cg

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 2/23/95

TO : SAC WMFO (46A-WF-179870 SUB UU) (C-9)

FROM [REDACTED] SAC, CLEVELAND (46A-WF-179870) (P)

SUBJECT [REDACTED] BIG BOUNCE;
MAJOR CASE #55;
FAG;
OO: WMFO

Reference CV TTs to WMFO, this date.

Enclosed for WMFO are the original and two copies
of an FD-302 reflecting the arrest of [REDACTED]
[REDACTED] and the original and two copies of an FD-302
arrest log of [REDACTED]

b6
b7c

Investigation within the Cleveland Division is
continuing.

(2) - WMFO
2 - Cleveland
(4)
JRG

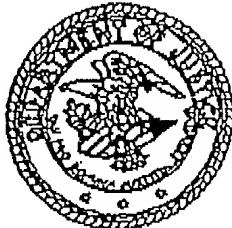
46A-WF-179870: UU
-246

SEARCHED	INDEXED
SERIALIZED	FILED
SEARCHED	INDEXED
SERIALIZED	FILED

MAR 1 1995

Dee JRG

Approved: _____ Transmitted _____
(WA: Per Reg Ex. E)
(Number) (Time) Per _____



U.S. Department of Justice

Office of Public Affairs

Washington, D.C. 20530

FAX COVER SHEET*Special Agent*

ATTENTION: _____

DATE: 2/23OF: FBISUBJECT: DRAFT PRESS RELEASEFAX NUMBER: 324-6426b6
b7CNUMBER OF PAGES: COVER + 4

ORIGINATOR: _____

ORIGINATOR'S PHONE: _____

ORIGINATOR'S FAX: 514 5331

NOTE: If you are not the intended receiver written above, please do not read the contents of this facsimile, for it may contain confidential information. Please call immediately and inform the sender. We are sorry for the inconvenience.

Please call 202-514 2007 and ask for _____
a problem with the transmission.

(15)

(X)

46A-WF-179870, SUB KU	
SEARCHED	INDEXED
SERIALIZED	FILED
FEB 23 1995	
FBI - WASHINGTON D.C.	

-246
x1

[Handwritten signatures and initials over the stamp]

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/24/95

On February 23, 1995, pursuant to a Warrant for Arrest issued by the United States District Court for the District of Columbia, dated February 22, 1995, agents from the Dallas Division of the Federal Bureau of Investigation arrested DONALD EDGAR LUKENS without incident at his residence.

LUKENS was transported to the Dallas Division office where he was advised of his rights, processed for fingerprints and photographed. LUKENS was allowed to place a telephone call to his attorney, [redacted] telephone number [redacted] to inform [redacted] of his arrest.

b6
b7C

LUKENS was subsequently transported to the United States Marshall's Service, 1100 Commerce Street, Dallas, Texas, where he was held until his initial appearance before U.S. Magistrate Judge JEFF KAPLAN at 3:00 pm. Judge KAPLAN released LUKENS on his personal recognizance.

Based on personal observation and information provided by LUKENS, the following description was obtained:

Name:	DONALD EDGAR LUKENS
Race:	White
Sex:	Male
Date of Birth:	2/11/31
SSAN:	286-28-8739
Height:	5' 11"
Weight:	195 pounds
Hair color:	Gray/ black
Eye color:	Blue
Scars:	Circular scar on right side of forehead, circular scar on left side of neck below ear
Address:	5444 Peterson Lane, Apartment 1035, Dallas, Texas
Employer:	Self
Occupation:	Consultant

Investigation on 2/23/95 at Dallas, Tx. File # 46A-WF-179870-UU-246X2

by SA [redacted], SA [redacted] JSK/JSK Date dictated 2/24/95

C-9

RR ROCKEFER FBI/CI FBIWMFO

DE FBI/CI #0002 0600352

ZKA [REDACTED]

1. OFFICE FEE \$1

"M FBI CLEVELAND (46A-WF-179870 SUB JU) (P)

TO DIRECTOR FBI/ROUTINE/

FBI BUREAU/ROUTINE/

FBI WMFO/ROUTINE/

2.

INCLUDES

ARMED AND DANGEROUS - SUBJECT CARRIES A GUN

TYPE //217C43905//

PAGE: 20A [REDACTED] WOOD, POU, FBIHQ: SA LOVE, DII: 2:

[REDACTED] L5, WMFO, NMRA,

b6
b7c

ELEMENTS: 200 BOUNDER MAVER CASE 1651 001 WMFO.

FOR INFORMATION OF THE BUREAU AND RECEIVING OFFICES. [REDACTED]

[REDACTED] WAS RELEASED ON BCVD AT 11:30 A.M., 2/27/95.

[REDACTED] WAS RELEASED ON BCVD FOR THE CONFERENCE OF ALSA

[REDACTED] PHILADELPHIA, TO THE FOLLOWING LIST OF PROSECUTORS:

46A-WF-179870 UU-247

[REDACTED]	SEARCHED <i>[initials]</i>	INDEXED <i>[initials]</i>
[REDACTED]	SERIALIZED <i>[initials]</i>	FILED <i>[initials]</i>
FEB 28 1995		
FBI - WASHINGTON D.C.		
FIELD OFFICE		

DAB/rr

PAGE TWO OF FEBRUARY COULD UNCLAS

1. NO FEDERAL, STATE, OR LOCAL LAWS WILL BE VIOLATED;
2. THE DEFENDANT WILL SURRENDER HIS PASSPORT TO THE CLERK OF COURTS, NDO;
3. TRAVEL WILL BE RESTRICTED TO THE STATE OF OHIO AND THE DISTRICT OF COLUMBIA;
4. THE DEFENDANT IS RESTRICTED FROM DIRECT OR INDIRECT CONTACT WITH ANY WITNESSSEE, THE CURRENT OR FORMER STAFF OF DONALD E. LUKENS, EXCEPT THROUGH HIS ATTORNEY OF RECORD AND THE ATTORNEY'S STAFF IN PREPARATION FOR TRIALS; AND
5. THE PUTTING UP A \$100,000 BOND, FIVE PERCENT.

[REDACTED] WAIVED THE REMOVAL HEARING AND WILL APPEAR UPON NOTICE FOR ARRAIGNMENT IN THE DISTRICT OF COLUMBIA. b6 b7C

BT

20002

NNN A

03/03/95

***** INDICTMENT *****

SENSITIVE / UNCLASSIFIED

Case Number: 046A WF0179870UU
Serial No.:

Stat Agent Name: [REDACTED]

Stat Agent SOC.: [REDACTED]

Report Date: 03/03/1995

Accom Date.: 02/22/1995

Does Accomplishment Involve	Assisting Joint Agencies	Assisting Agents SOC	Subject Name
Drugs : N	[REDACTED]	[REDACTED]	[REDACTED]
A Fugitive. : N	[REDACTED]	[REDACTED]	[REDACTED]
Bankruptcy Fraud. : N	[REDACTED]	[REDACTED]	[REDACTED]
Computer Fraud/Abuse. : N	[REDACTED]	[REDACTED]	[REDACTED]
Corruption of Public Officials: Y			[REDACTED]
Forfeiture Assets : N	[REDACTED]	[REDACTED]	[REDACTED]

b6
b7C

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

FINAN ANALYST	LAB DIV EXAMS	UCO-GROUP I	
AIRCRAFT ASST	LAB FIELD SUP	UCO-GROUP II	1 = Used, but did not help
COMPUTER ASST	PEN REGISTERS	UCO-OTHER	2 = Helped, Minimally
CONSEN MONITR	PHOTO COVERGE	NCAVC/VI-CAP	3 = Helped, Substantially
ELSUR/FISC	POLYGRAPH	VISUAL INVEST	4 = Absolutely Essential
ELSUR/III	SRCH WAR EXEC	CRIS NEG-FED	
ENG FIELD SUP	SHOW MONEY	CRIS NEG-LOC	
ENG TAPE EXAM	SOG ASST	ERT ASST	
HYPNOSIS ASST	SWAT TEAM	BUTTE-ITC	
EVIDNCE PURCH	TECH AG/EQUIP	SAVANNAH-ITC	
INFORMANT/CW	TEL TOLL RECS		

Serial Number of Indictment :

United States Code Violation

Title	Section	Counts
18	201	4
18	371	2
18	1623	2

Accomplishment Narrative

ON 2/22/95, A FEDERAL GRAND JURY IN THE DISTRICT OF COLUMBIA RETURNED AN INDICTMENT AGAINST DONALD EDGAR "BUZ" LUKENS CHARGING HIM WITH VIOLATIONS OF TITLE 18, U.S.C. SECTIONS 201 (BRIBERY) AND 371 (CONSPIRACY). LUKENS FORMERLY SERVED AS A MEMBER OF THE U.S. HOUSE OF REPRESENTATIVES FOR THE 8TH DISTRICT OF OHIO

SENSITIVE / UNCLASSIFIED

46A-WF-179870 Sub Acl-248
Mf Mf

For Further Instructions See: MAOP, **Part II**, Sections 3-5 thru 3-5.3.

RACE CODES

A Asian/Pacific Islander
B Black
I Indian/American
U Unknown
W White
X Nonindividual

SENTENCE TYPES

CP Capital Punishment
JS Jail Sentence
LS Life Sentence
NS No Sentence (Subject is Fugitive, Insane, has Died, or is a Corporation)
PB Probation
SJ Suspension of Jail Sentence
YC Youth Correction Act

PELP CODES

22 Counterfeit Stocks/Bonds/Currency/
Negotiable Instruments
23 Counterfeit/Pirated Sound Recordings or Motion Pictures
24 Bank Theft Scheme Aborted
25 Ransom, Extortion or Bribe Demand Aborted
26 Theft From or Fraud Against Government Scheme Aborted
27 Commercial or Industrial Theft Scheme Aborted
30 All Other

PROPERTY CODES

01 Cash
02 Stocks, Bonds or Negotiable Instruments
03 General Retail Merchandise
04 Vehicles
05 Heavy Machinery & Equipment
06 Aircraft
07 Jewelry
08 Vessels
09 Art, Antiques or Rare Collections
11 Real Property
20 All Other

JOINT AGENCY CODES

ACIS Army Criminal Investigative Service
BATF Bureau of Alcohol, Tobacco & Firearms
DCAA Defense Contract Audit Agency
DCIS Defense Criminal Investigative Service
DEA Drug Enforcement Administration
DOI Dept. of Interior
FAA Federal Aviation Administration
FDA Food and Drug Administration
HHS Dept. of Health & Human Services
HUD Dept. of Housing & Urban Development
INS Immigration and Naturalization Service
IRS Internal Revenue Service
NASA Nat'l Aeronautics & Space Administration
NBIS Nat'l NARC Border Interdiction
NCIS Naval Criminal Investigative Service
RCMP Royal Canadian Mounted Police
SBA Small Business Administration
USBP U.S. Border Patrol
USCS U.S. Customs Service
USDS U.S. Department of State
USSS U.S. Secret Service
USTR U.S. Treasury
ST State
LOC Local
OTHR Other

JUDGMENT CODES

CJ Consent Judgment
CO Court Ordered Settlement
DF Default Judgment
DI Dismissal
JN Judgment Notwithstanding
MV Mixed Verdict
SJ Summary Judgment
VD Verdict for Defendant
VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
BR Barred/Removed
CC Civil Contempt
DC Disciplinary Charges
FI Fine
PI Preliminary Injunction
PR Temporary Restraining Order
RN Restitution
SP Suspension
VR Voluntary Resignation
OT Other

SUBJECT PRIORITY

A Subject wanted for crimes of violence (i.e., murder, manslaughter, forcible rape) against another individual or convicted of such a crime in the past five years

B Subject wanted for crimes involving loss or destruction of property valued in excess of \$25,000 or convicted of such a crime in the past five years.

C All other subjects.

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME SUBJECTS

1F Boss
1G Underboss
1H Consigliere
1J Acting Boss
1K Capodecina
1L Soldier

KNOWN CRIMINALS

2A Top Ten or L.O. Fugitive
2B Top Thief
2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
3B Illegal Alien
3C Foreign Official W/out Diplomatic Immunity
3D U.N. Employee W/out Diplomatic Immunity
3E Foreign Student
3F All Others

OTHERS

8A All Other Subjects
8B Company or Corporation

TERRORISTS

4A Known Member of a Terrorist Organization
4B Possible Terrorist Member or Sympathizer

UNION MEMBERS

5D President
5E Vice-President
5F Treasurer
5G Secretary/Treasurer
5H Executive Board Member
5I Business Agent
5J Representative
5K Organizer
5L Business Manager
5M Financial Secretary
5N Recording Secretary
5P Office Manager
5Q Clerk
5R Shop Steward
5S Member
5T Trustee
5U Other

GOVERMENT SUBJECTS

6A Presidential Appointee
6B U.S. Senator/Staff
6C U.S. Representative/Staff
6D Federal Judge/Magistrate
6E Federal Prosecutor
6F Federal Law Enforcement Officer
6G Federal Employee - GS 13 & Above
6H Federal Employee - GS 12 & Below
6J Governor
6K Lt. Governor
6L State Legislator
6M State Judge/Magistrate
6N State Prosecutor
6P State Law Enforcement Officer
6Q State - All Others
6R Mayor
6S Local Legislator
6T Local Judge/Magistrate
6U Local Prosecutor
6V Local Law Enforcement Officer
6W Local - All Others
6X County Commissioner
6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
7B Bank Employee

03/03/95

***** INDICTMENT *****

SENSITIVE / UNCLASSIFIED

Case Number: 046A WF0179870UU

Serial No.:

Stat Agent Name: [REDACTED]

Stat Agent SOC.: [REDACTED]

Report Date: 03/03/1995

Accom Date.: 02/22/1995

Does Accomplishment Involve

Assisting Joint Agencies

Assisting Agents SOC

Subject Name

Drugs : N
A Fugitive. : N
Bankruptcy Fraud. : N
Computer Fraud/Abuse. : N
Corruption of Public Officials: Y
Forfeiture Assets : N

[REDACTED]

LUKENS, DONALD, EDGAR

RA Squad Task Force

CRIM C9 b6
b7C
b7E

Sub. Invest. Asst by Other FOs:

Investigative Assistance or Technique Used

[REDACTED]
FINAN ANALYST
AIRCRAFT ASST
COMPUTER ASST
CONSEN MONITR
ELSUR/FISC
ELSUR/III
ENG FIELD SUP
ENG TAPE EXAM
HYPNOSIS ASST
EVIDENCE PURCH
INFORMANT/CW

[REDACTED]
LAB DIV EXAMS
LAB FIELD SUP
PEN REGISTERS
PHOTO COVERGE
POLYGRAPH
SRCH WAR EXEC
SHOW MONEY
SOG ASST
SWAT TEAM
TECH AG/EQUIP
TEL TOLL RECS

[REDACTED]
UCO-GROUP I
UCO-GROUP II
UCO-OTHER
NCAVC/VI-CAP
VISUAL INVEST
CRIS NEG-FED
CRIS NEG-LOC
ERT ASST
BUTTE-ITC
SAVANNAH-ITC

1 = Used, but did not help
2 = Helped, Minimally
3 = Helped, Substantially
4 = Absolutely Essential

Serial Number of Indictment :

United States Code Violation

=====

Title	Section	Counts
18	201	4
18	371	1

Accomplishment Narrative

ON 2/22/95, A FEDERAL GRAND JURY IN THE DISTRICT OF COLUMBIA RETURNED AN INDICTMENT AGAINST DONALD EDGAR "BUZ" LUKENS CHARGING HIM WITH VIOLATIONS OF TITLE 18, U.S.C. SECTIONS 201 (BRIBERY) AND 371 (CONSPIRACY). LUKENS FORMERLY SERVED AS A MEMBER OF THE U.S. HOUSE OF REPRESENTATIVES FOR THE 8TH DISTRICT OF OHIO

SENSITIVE / UNCLASSIFIED

46A-WF-179870 Sub UU-249

mg -

Accomplishment Report

(Accomplishment must be reported and loaded into ISMA
within 30 days from date of accomplishment)Date Prepared 3/3/95
Date Loaded _____
Data Loader's initials _____

Does Accomplishment Involve:
(check all that apply)

Drugs	<input type="checkbox"/>
A Fugitive	<input type="checkbox"/>
Bankruptcy Fraud	<input type="checkbox"/>
Computer Fraud/Abuse	<input type="checkbox"/>
Corruption of Public Officials	<input checked="" type="checkbox"/>
Forfeiture Assets	<input type="checkbox"/>

File Number
46A-WF-179870

Stat Agent Soc. Sec. No.

RA Squad
5710 0052

Assisting Agents Soc. Sec. No.

Task Force

Serial No. of FD-515

Assisting Joint Agencies X •
1.
2.

Investigative Assistance or Technique Used				
Rating	IAT	Rating	IAT	Rating
	Financ. Analyst Asst.		Informant Info.	
	Aircraft Assistance		Lab. Div. Exams	
	Computer Assistance		Lab. Div. Field Supt.	
	Consensual Monitor		Pen Registers	
	ELSUR / FISC		Photograph Coverage	
	ELSUR / Title III		Polygraph Assistance	
	Eng. Sect. Field Supt.		Search Warrants Exec.	
	Eng. Sect. Tape Exams		Show Money Usage	
	Hypnosis Assistance		SOG Assistance	
			Swat Team Action	
				ERT Assistance

A. Complaint / Information / Indictment

Complaint Date _____

Check if Civil/ Rico Complaint

Information Date _____

Indictment Date 2/22/95

Also Complete Section I

B. Arrest / Locate / Summons

Arrest Date _____

 Federal Local ♦Subject Priority: A B C Subject Resisted Subject was Armed

Locate Date _____

Subject Priority: A B C

Summons Date _____

 Federal Local ♦

C. Hostage(s) Released Date _____

Released by: Terrorists Other

Number of Hostages: _____

Child Located Date _____

D. Recovery / Restitution / Potential Economic Loss Prevented (PELP) X •

Recovery Date _____

 Federal Local

Code •

Amount

Code •

Amount

Restitution Date _____

 Court Ordered Pretrial Diversion

PELP Date _____

\$
\$
\$

\$
\$
\$

\$
\$
\$

E. Civil / Rico Matters Date _____

Also Complete Section I

Judgment _____ •

Judicial Outcome X •

Fines: \$ _____

Suspension:

Years	Months

F. AFA Payment Date _____

Amount: \$ _____

G. Administrative Sanctions Date _____

Type: Length:

 Suspension Permanent Debarment Years Months Injunction

Years	Months

Subject Description Code _____ •

H. Final Judicial Process Conviction

Also Complete Section I

Date of Conviction: _____

 Federal
 Local ♦

 Local ♦

Subject Description Code: _____ •

 Felony
 Misdemeanor

Judicial State: _____ District: _____

 Plea
 Trial

Sentence type: _____ •

Sentence Term: _____

In-Jail Years	Months	Suspended Years	Months	Probation Years	Months

Fines: \$ _____

I. U.S. Code Violations

Title	Section	Counts	Title	Section	Counts
18	201	4			
18	371	1			

Required for Sections A, E, and H (Conviction)

Optional for Section B (arrest)

Acquittal / Dismissal / Pretrial Diversion

Acquittal Date _____

Dismissal Date _____

Pretrial Diversion Date _____

J. Subject Information (Required for Sections A, B, D (Restitution), E, F, G, and H)

Name	Date of Birth	Race •	Sex	Place of Birth (if available)	Social Security No. (if available)
DONALD EDGAR LUKENS	2/11/31	W	M		286-28-8739

Subject Related to an LCN, Asian Organized Crime (AOC), or Italian Organized Crime (IOC) Group. (Submit form FD-515a for indictments and convictions only)

X Additional information may be added by attaching another form or a plain sheet of paper for additional entries.

♦ Requires that a written explanation on plain paper be attached. (Court Ordered Restitution does not require a written explanation)

• See codes on reverse side.

For Further Instructions See: MAOP, **Part I**, Sections 3-5 thru 3-5.3.

RACE CODES

A Asian/Pacific Islander
 B Black
 I Indian/American
 U Unknown
 W White
 X Nonindividual

SENTENCE TYPES

CP Capital Punishment
 JS Jail Sentence
 LS Life Sentence
 NS No Sentence (Subject is Fugitive, Insane, has Died, or is a Corporation)
 PB Probation
 SJ Suspension of Jail Sentence
 YC Youth Correction Act

PELP CODES

22 Counterfeit Stocks/Bonds/Currency/
 Negotiable Instruments
 23 Counterfeit/Pirated Sound Recordings or Motion Pictures
 24 Bank Theft Scheme Aborted
 25 Ransom, Extortion or Bribe Demand Aborted
 26 Theft From or Fraud Against Government Scheme Aborted
 27 Commercial or Industrial Theft Scheme Aborted
 30 All Other

PROPERTY CODES

01 Cash
 02 Stocks, Bonds or Negotiable Instruments
 03 General Retail Merchandise
 04 Vehicles
 05 Heavy Machinery & Equipment
 06 Aircraft
 07 Jewelry
 08 Vessels
 09 Art, Antiques or Rare Collections
 11 Real Property
 20 All Other

JOINT AGENCY CODES

ACIS Army Criminal Investigative Service
 BATF Bureau of Alcohol, Tobacco & Firearms
 DCAA Defense Contract Audit Agency
 DCIS Defense Criminal Investigative Service
 DEA Drug Enforcement Administration
 DOI Dept. of Interior
 FAA Federal Aviation Administration
 FDA Food and Drug Administration
 HHS Dept. of Health & Human Services
 HUD Dept. of Housing & Urban Development
 INS Immigration and Naturalization Service
 IRS Internal Revenue Service
 NASA Nat'l Aeronautics & Space Administration
 NBIS Nat'l NARC Border Interdiction
 NCIS Naval Criminal Investigative Service
 RCMP Royal Canadian Mounted Police
 SBA Small Business Administration
 USBP U.S. Border Patrol
 USCS U.S. Customs Service
 USDS U.S. Department of State
 USSS U.S. Secret Service
 USTR U.S. Treasury
 ST State
 LOC Local
 OTHR Other

JUDGMENT CODES

CI Consent Judgment
 CO Court Ordered Settlement
 DF Default Judgment
 DI Dismissal
 JN Judgment Notwithstanding
 MV Mixed Verdict
 SJ Summary Judgment
 VD Verdict for Defendant
 VP Verdict for Plaintiff

JUDICIAL OUTCOME

AG Agreement
 BR Barred/Removed
 CC Civil Contempt
 DC Disciplinary Charges
 FI Fine
 PI Preliminary Injunction
 PR Temporary Restraining Order
 RN Restitution
 SP Suspension
 VR Voluntary Resignation
 OT Other

SUBJECT PRIORITY

- A Subject wanted for crimes of violence (i.e., murder, manslaughter, forcible rape) against another individual or convicted of such a crime in the past five years
- B Subject wanted for crimes involving loss or destruction of property valued in excess of \$25,000 or convicted of such a crime in the past five years.
- C All other subjects.

SUBJECT DESCRIPTION CODES

ORGANIZED CRIME SUBJECTS

1F Boss
 1G Underboss
 1H Consigliere
 1J Acting Boss
 1K Capodecina
 1L Soldier

KNOWN CRIMINALS

2A Top Ten or I.O. Fugitive
 2B Top Thief
 2C Top Con Man

FOREIGN NATIONALS

3A Legal Alien
 3B Illegal Alien
 3C Foreign Official W/out Diplomatic Immunity
 3D U.N. Employee W/out Diplomatic Immunity
 3E Foreign Student
 3F All Others

OTHERS

8A All Other Subjects
 8B Company or Corporation

TERRORISTS

4A Known Member of a Terrorist Organization
 4B Possible Terrorist Member or Sympathizer

UNION MEMBERS

5D President
 5E Vice-President
 5F Treasurer
 5G Secretary/Treasurer
 5H Executive Board Member
 5I Business Agent
 5J Representative
 5K Organizer
 5L Business Manager
 5M Financial Secretary
 5N Recording Secretary
 5P Office Manager
 5Q Clerk
 5R Shop Steward
 5S Member
 5T Trustee
 5U Other

GOVERMENT SUBJECTS

6A Presidential Appointee
 6B U.S. Senator/Staff
 6C U.S. Representative/Staff
 6D Federal Judge/Magistrate
 6E Federal Prosecutor
 6F Federal Law Enforcement Officer
 6G Federal Employee - GS 13 & Above
 6H Federal Employee - GS 12 & Below
 6J Governor
 6K Lt. Governor
 6L State Legislator
 6M State Judge/Magistrate
 6N State Prosecutor
 6P State Law Enforcement Officer
 6Q State - All Others
 6R Mayor
 6S Local Legislator
 6T Local Judge/Magistrate
 6U Local Prosecutor
 6V Local Law Enforcement Officer
 6W Local - All Others
 6X County Commissioner
 6Y City Councilman

BANK EMPLOYEES

7A Bank Officer
 7B Bank Employee

On 2/22/95, a Federal Grand Jury in the District of Columbia returned an Indictment against DONALD EDGAR "BUZ" LUKENS charging him with violations of Title 18, U.S.C., Sections 201 (Bribery), and 371 (Conspiracy). LUKENS formerly served as ~~the~~ a member of the U.S. House of Representatives for the 8th District of Ohio.



Memorandum

To : ADIC WMFO [redacted] (P) Date 1/24/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact	b6 b7C b7D
<u>1/4/95</u>	
File #s on which contacted (Use Titles if File #'s not available)	
46A-WF-179870, SUB UU	

Purpose and results of contact

NEGATIVE
 POSITIVE
 STATISTIC

(See attached insert)

Description of
Statistical Accomplishment

Title of Case

File No.

Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.

PERSONAL DATA

46A-WF-179870 SUB UU
[Handwritten signatures and initials over the file number]
m - 250

1 - [redacted]
 1 - 46A-WF-179870, SUB UU

Init CWS/cws
 (2) - WMFO

see reverse side for statistics

100-111-1234

—46A-WF-179870, SUB UU
CWS/cws

On 1/4/95, WF 15843-CW-WC provided the following information to SA [redacted]

The Cooperating Witness (CW) advised that he had not had any contact with [redacted], or [redacted]

[redacted]

b6
b7C
b7D

[redacted]

[redacted]

CW advised that [redacted] worked in financial aid b6 for CTI. He/she had no idea of [redacted] current whereabouts. b7C [redacted] used to live outside the Cincinnati area. CW commented b7D that [redacted] may know where [redacted] is living.



Memorandum

To : ADIC WMFO [redacted] (P) Date 2/21/95
From : SA [redacted] (C-9)
Subject : [redacted]

Dates of Contact	1/26/95	
File #'s on which contacted (Use Titles if File #'s not available)	46A-WF-179870, SUB UU	
	b6	
	b7C	
	b7D	
Purpose and results of contact		
<input type="checkbox"/> NEGATIVE		
<input checked="" type="checkbox"/> POSITIVE	(See attached insert)	
<input type="checkbox"/> STATISTIC		
Description of Statistical Accomplishment	Title of Case	File No.
Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.		
PERSONAL DATA	46A-WF-179870, <i>[Handwritten signatures]</i>	

Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.

PERSONAL DATA

46A-WF-179870, SUB UU
251

1 - 1 - 46A-WF-179870, SUB UU
1 -

Init CWS/cws
(2) = WMFO

see reverse side for statistics

Dec/8

46A-WF-179870, SUB UU
CWS/cws

On 1/26/95, [REDACTED] was telephonically contacted by SA [REDACTED] and furnished the following information:

The Cooperating Witness (CW) stated that he/she had not been contacted by [REDACTED] or any representative of [REDACTED] since before Christmas, 1994, nor had any such attempts been made.

b6
b7C
b7D



Memorandum

To : ADIC WMFO [redacted] (P) Date 2/22/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact 2/2/95	b6 b7C b7D
File #'s on which contacted (Use Titles if File #'s not available) 46A-WF-179870, SUB UU	
<hr/> <hr/> <hr/>	

Purpose and results of contact

NEGATIVE
 POSITIVE
 STATISTIC

(See attached insert)

Description of
Statistical Accomplishment

Title of Case

File No.

Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.

PERSONAL DATA

46A-WF-179870, SUB UU
 [redacted]
 [initials] -252

1 - [redacted]
 1 - 46A-WF-179870, SUB UU

Init. CWS/cws
 (2) - WMFO

See reverse side for statistics

[initials]

—46A-WF-179870, SUB UU
CWS/cws

On 2/2/95, [REDACTED] was telephonically contacted and provided the following information to SA [REDACTED]
[REDACTED]

The Cooperating Witness (CW) advised that [REDACTED] formerly worked for CAMBRIDGE TECHNICAL INSTITUTE (CTI) and BOHECKER'S BUSINESS COLLEGE (BBC). CW described [REDACTED] as "impressionable" and a little naive. [REDACTED] closest friend at CTI and BBC was [REDACTED]

CW advised that [REDACTED] "bounced around" for CTI and BBC. He/she recalled that [REDACTED] worked for [REDACTED] at CTI's campus in Dayton, Ohio. [REDACTED] also worked at the Middletown campus until it closed. She then accompanied [REDACTED] to BBC's campus in Ravenna, Ohio. CW thought [REDACTED] took [REDACTED] to Ravenna to straighten out the financial aid at BBC. CW believed that [REDACTED] then may have fired her. CW stated that that was [REDACTED] plan before [REDACTED] went up to Ravenna. CW thought that, at the time of the audit of CTI by the U.S. DEPARTMENT OF EDUCATION (DOE), [REDACTED] was possibly in Dayton. CW stated that [REDACTED] was not brought down to Cincinnati to help prepare documents to be given to the DOE auditors.

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WARRANT FOR ARREST

UNITED STATES DISTRICT COURT		FOR THE DISTRICT OF COLUMBIA	
UNITED STATES OF AMERICA V. JOHN P. FITZPATRICK DOB: 2/27/55 PDID#		DOCKET NO: CR 95-0042	MAGIS. NO:
		NAME & ADDRESS OF INDIVIDUAL TO BE ARRESTED JOHN P. FITZPATRICK 4420 NELSON ROAD MIDDLETON, OHIO	
WARRANT ISSUED ON THE BASIS OF: Indictment		DISTRICT OF ARREST	
TO: ANY UNITED STATES MARSHAL OR OTHER AUTHORIZED OFFICER		CITY	
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the nearest available Magistrate Judge to answer to the charge(s) listed below.			
DESCRIPTION OF CHARGES			
18:371-Conspiracy 18:201(b)(1)-Bribery 18:1623-False Material Declaration		INVESTIGATIVE COPY ONLY ORIGINAL ON FILE WITH US MARSHAL RM _____	
IN VIOLATION OF:		UNITED STATES CODE TITLE & SECTION: 18:371/201/1623	
BAIL FIXED BY COURT:		OTHER CONDITIONS OF RELEASE:	
ORDERED BY: ALAN KAY		SIGNATURE (JUDGE/MAGISTRATE/JUDGE): ALAN KAY	DATE ISSUED: 2/22/95
CLERK OF COURT: Nancy Mayer-Whittington		BY DEPUTY CLERK: <i>Ellen B. Wood</i>	DATE: 2/22/95
RETURN <i>JK</i>			
This warrant was received and executed with the arrest of the above-named person.			
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER		SIGNATURE OF ARRESTING OFFICER
DATE EXECUTED			<i>46A-WF-179870, SUB UU y - 252 X 1</i>

WARRANT FOR ARREST

CO-180 (Rev. 3/8)

UNITED STATES DISTRICT COURT		FOR THE DISTRICT OF COLUMBIA	
UNITED STATES OF AMERICA V. DONALD E. LUKENS DOB: 2/11/31 PDID#		DOCKET NO: CR 95-0041	MAGIS. NO:
		NAME & ADDRESS OF INDIVIDUAL TO BE ARRESTED DONALD E. LUKENS 5444 PETERSON LANE #1035 DALLAS TEXAS 75240	
WARRANT ISSUED ON THE BASIS OF: Indictment		DISTRICT OF ARREST	
TO: ANY UNITED STATES MARSHAL OR OTHER AUTHORIZED OFFICER		CITY	
YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the nearest available Magistrate Judge to answer to the charge(s) listed below.			
DESCRIPTION OF CHARGES			
18:371-Conspiracy 18:201(b)(1)-Bribery			
INVESTIGATIVE COPY ONLY ORIGINAL GO FILE WITH US MARSHAL RM _____			
IN VIOLATION OF:		UNITED STATES CODE TITLE & SECTION: 18:371/201	
BAIL FIXED BY COURT:		OTHER CONDITIONS OF RELEASE:	
ORDERED BY: ALAN KAY		SIGNATURE (JUDGE/MAGISTRATE JUDGE) ALAN KAY	DATE ISSUED: 2/22/95
CLERK OF COURT: Nancy Mayer-Whittington		BY DEPUTY CLERK: <i>John B. Wood</i>	DATE: 2/22/95
RETURN <i>11</i>			
This warrant was received and executed with the arrest of the above-named person. <i>(X)</i>			
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER		SIGNATURE OF ARRESTING OFFICER
DATE EXECUTED			<i>46A-WF-179870, SUB UU</i> <i>70 70 252x2</i> <i>GS</i>

FBI

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 3/10/95

FM FBI WMFO (46A-WF-179870 SUB UU) (P)

TO DIRECTOR FBI/ROUTINE/

BT

UNCLAS

CITE: //3920//

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PASS: SSA [REDACTED] WCCS, PCU

SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO:WMFO

FORMER U.S. CONGRESSMAN DONALD "BUZ" LUKENS

ARMED AND DANGEROUS.

FOR INFORMATION OF THE BUREAU, ON 3/10/95, FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS APPEARED FOR HIS ARRAIGNMENT IN U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA IN FRONT OF JUDGE GLADYS KESSLER. LUKENS PLED NOT GUILTY TO THE CHARGES AGAINST HIM. LUKENS WAIVED HIS RIGHT TO A SPEEDY TRIAL. JUDGE KESSLER SET 4/10/95 AS THE DATE BY WHICH THE DEFENSE MUST FILE ANY MOTIONS. THE GOVERNMENT'S

46A-WF-179870 Sub UU-253
 SEARCHED _____ INDEXED _____
 SERIALIZED 32 FILED _____

Approved: WCM/lb Original filename: /es001w.069Time Received: _____ Telprep filename: /es001so.069MRI/JULIAN DATE: 103 1069 ISN: 049FOX DATE & TIME OF ACCEPTANCE: 3/10/95 4:41 KHF

^PAGE 2 WMFO (46A-WF-179870 SUB UU) UNCLAS

REPLY DATE WAS SET FOR 4/30/95. FINAL PAPERS MUST BE FILED BY 5/10/95. JUDGE KESSLER SET A STATUS CONFERENCE FOR 5/23/95 AT WHICH TIME A TRIAL DATE WILL BE SET. IT IS ANTICIPATED THAT THE TRIAL OF LUKENS COULD TAKE PLACE DURING THE SUMMER OF 1995. LUKENS WAS RELEASED ON HIS PERSONAL RECOGNIZANCE SUBJECT TO THE CONDITIONS SET FORTH IN HIS INITIAL APPEARANCE ON 2/23/95.

THE ARRAIGNMENT FOR SUBJECT [REDACTED] HAS BEEN SCHEDULED FOR 10:00 AM ON THURSDAY 3/16/95 IN FRONT OF JUDGE KESSLER.

WMFO WILL KEEP THE BUREAU APPRISED OF ANY SIGNIFICANT DEVELOPMENTS IN THE LUKENS AND [REDACTED] CASES.

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FBI

TRANSMIT VIA:

Teletype
 Facsimile
 ARTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 3/16/95

FM FBI WMFO (46A-WF-179870 SUB UU) (P)

TO DIRECTOR FBI/ROUTINE/

BT

UNCLAS

CITE: //3920//

PASS: SSA [redacted] WCCS, PCU

SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO:WMFO;

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS.

ARMED AND DANGEROUS.

RE WMFO TELETYPE TO BUREAU DATED 2/15/95 AND 2/22/95.

FOR INFORMATION OF THE BUREAU, THE ARRAIGNMENT OF SUBJECT

[redacted] WAS HELD ON 3/16/95 IN U.S. DISTRICT COURT

IN THE DISTRICT OF COLUMBIA IN FRONT OF JUDGE GLADYS KESSLER. b6
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[redacted] PLED NOT GUILTY TO THE CHARGES AGAINST HIM.

[redacted] WAIVED HIS RIGHT TO A SPEEDY TRIAL. JUDGE KESSLER

SET A TRIAL DATE FOR [redacted] FOR 7/31/95. A STATUS

46A-WF-179870 Sub UU-254

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____Approved: BCM/lby Original filename: 1e5001w.075Time Received: _____ Telprep filename: 1e5001s0.075MRI/JULIAN DATE: 1914 075 ISBN: 031FOX DATE & TIME OF ACCEPTANCE: 3/16/95 4:49 RLT

[^]PAGE 2 WMFO (46A-WF-179870 SUB UU) UNCLAS

CONFERENCE WAS SET FOR 4/21/95. DEFENSE MOTIONS ARE DUE BY
5/1/95 AND THE GOVERNMENT'S RESPONSES BY 5/21/95. [redacted]

WAS RELEASED SUBJECT TO THE CONDITIONS PREVIOUSLY SET FORTH BY
THE COURT IN OHIO.

WMFO WILL KEEP THE BUREAU APPRISED OF ANY SIGNIFICANT
DEVELOPMENTS IN THE [redacted] CASE.

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- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

6/2/95

[redacted] was interviewed at the U.S. DEPARTMENT OF JUSTICE (DOJ) in Washington, D.C. [redacted] Corporate Security for MEAD CORPORATION (MC), World Headquarters, Courthouse Plaza Northeast, Dayton, Ohio 45463, telephone number [redacted]. Prior to his employment with [redacted] was a Special Agent with the FEDERAL BUREAU OF INVESTIGATION (FBI). Also present during the interview were DOJ Attorneys [redacted] and [redacted]. After being apprised of the identities of the participants in the interview and of the nature of the interview, [redacted] provided the following information:

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[redacted] advised that, while working as a Special Agent in the Cincinnati, Ohio, Division of the FBI in the early 1980s, he was involved in an investigation of SOUTHWESTERN COLLEGE OF BUSINESS (SCB). SCB was operated by an individual named [redacted]. During the course of the investigation of SCB, [redacted] interviewed [redacted] DOB 2/27/55. The interview of [redacted] took place on 9/26/83 in Middletown, Ohio. [redacted] prepared an FD-302 report of the interview with [redacted]. One copy of the FD-302 is attached for incorporation herein.

[redacted] recalled that another individual he interviewed during the course of the investigation of SCB suggested that he talk to [redacted]. [redacted] remembered that [redacted] provided substantial information about the situation at SCB, and [redacted] was very specific in his recollection of occurrences at SCB. [redacted] commented that [redacted] was very forthright and sure about what he was saying. [redacted] stated that he thought [redacted] was going to be a key figure in breaking a major case.

During the 9/26/83 interview, [redacted] informed [redacted] that SCB officials had altered student records which had been subpoenaed by the government. [redacted] advised that SCB employees would travel from the SCB location in Middletown to SCB's campus in Kettering, Ohio, to work during the night at changing the records. [redacted] admitted to [redacted] that he participated in altering records that had been subpoenaed. [redacted] stated that one of the reasons he believed [redacted]

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b7CInvestigation on 3/16/95 at Washington, D.C.File # 46A-WF-179870, SUB UUby SA [redacted]Date dictated 4/5/95

46A-WF-179870, SUB UU

Continuation of FD-302 of [redacted], On 3/16/95, Page 2

was providing truthful information was the fact that [redacted] admitted his own involvement in changing records.

[redacted] stated that [redacted] was never offered immunity from prosecution in return for his cooperation in the SCB case.

[redacted] advised that he opened [redacted] as an informant for the FBI. [redacted] stated that he felt [redacted] had a lot of important information about SCB, and he wanted to continue to obtain that information. [redacted] advised that he paid money to [redacted] to encourage him to gather and report more information to the FBI. [redacted] confirmed that [redacted] kept the payments and did not return any of the money he received from the FBI. [redacted] recalled that over time his relationship with [redacted] deteriorated. Eventually, [redacted] developed some doubts about [redacted] loyalty and thought [redacted] might be "playing both sides of the fence."

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/5/83

[redacted] residence address [redacted]
 [redacted], Middletown, Ohio, telephone [redacted], was contacted and interviewed at the Middletown Mall and voluntarily related the following information:

[redacted] advised that during the period of January, 1982 through July 11, 1983, he was Director of Education, Southwestern College of Business, Middletown Campus, Middletown, Ohio. He advised that he worked for [redacted], President of Southwestern College of Business. [redacted] said that during his period of employment there were numerous questionable transactions completed with his knowledge and in fact with his cooperation. [redacted] said that at the time he felt he should advise at least the state Board of Education but for fear of losing his job, he did nothing.

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[redacted] said that there were so many illegal acts perpetrated throughout Southwestern College of Business that it would take some time to furnish the details of each and every one. He said, however, that he would furnish what information he could at this time and continue to cooperate to the best of his ability.

[redacted] said that during the first two weeks of November, 1982, numerous academic files were pulled and altered. He advised that this was done in direct defiance of a Federal Grand Jury subpoena received by [redacted] demanding that these records be turned over. [redacted] identified the individuals changing records after receipt of the subpoena but before submission to the FBI as himself, [redacted], the one time Middletown Registrar.

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[redacted] a Kettering campus employee, [redacted] also a Kettering campus employee, [redacted], and [redacted] himself. [redacted] said that during a two week period he was asked to come from the Middletown campus to the Kettering campus at which time they worked from approximately 8:00 AM until 11:00 PM altering attendance records and some grade cards.

[redacted] said that he recalls that during this

Investigation on 9/26/83 at Middletown, Ohio File # 213A-11

by SA [redacted] /cc Date dictated 9/30/83

Continuation of interview of [redacted]

2

Page

period of time the Kettering campus and Union Terminal campus were extremely in bad shape. He advised that going through some of those files indicated nothing in file. [redacted] advised that at the direction of [redacted] and others, there were numerous student names forged on enrollment cards various student agreements, attendance cards and even some instructors' names were forged.

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[redacted] also indicated that during this two week period [redacted] asked [redacted] to hold six files back and not give them to the FBI. He indicated that two of those were the [redacted] and [redacted] files.

[redacted] indicated that [redacted] did not want these and others to go to the FBI because they were blatantly illegal in that grades had been given for classes not attended and even grades for some classes that did not exist. [redacted] said that one of these files may have been [redacted] who was a Vice President of Southwestern College of Business. He said that [redacted] collected Veterans Administration benefits as well as BEOG but never attended any classes. He advised that [redacted], although indicating that he is a college graduate is not one, and this can be corroborated by [redacted]

Concerning students that never entered class, [redacted] said that they did exist but he was not sure as to how many. He said that the school would receive 25 percent of the student tuition from the Department of Education if the student was at least taking eight or more credit hours and was enrolled for one day to one week. He indicated that this percentage increased as the student continued his education.

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[redacted] said that [redacted] and others at [redacted] direction, sometimes created student cards so that the student would have at least eight hours and that on some occasions a fictitious card would be created to show that the student continued into the third, fourth and fifth week of the term. He said that an individual named Henry Whitesell would be able to furnish information about the changing and creation of student grade and enrollment cards.

[redacted] advised that he did not know of any particular students that never entered class but did have information regarding Southwestern College of Business employees that did so. He indicated that Mr. and Mrs. [redacted]

[redacted] and the entire Lockland campus basketball team received either BEOG monies, V.A. monies or some assistance but never attended any classes. He indicated that [redacted] and [redacted] worked at the Hamilton campus for

Continuation of interview of [redacted]

, Page 3

[redacted] Henry Whitesell and could not attend even if they wanted to. [redacted] said that [redacted] and [redacted] were very involved and interested in the basketball team and were overheard saying "They're here to play and they don't have to attend school." [redacted] said that [redacted] loves basketball and was the primary moving force behind this team.

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[redacted] advised that he was aware of and attended enrollment parties at the union terminal campus. He advised that these were given two to three weeks before the quarter started and were given to enroll as many people as possible. He advised that attendance at this party was free if a student brought a non-student. [redacted] said that the objective was to get the new individuals pretty well inebriated and then have them fill out enrollment papers. Each student who obtained a new student received \$20 cash.

[redacted] advised that [redacted] Cincinnati, Ohio, who worked at the Union Terminal campus was paid over \$60,000 over a period of time for such student recruitment. He indicated that Ash would know about students that never entered class as would [redacted]. He advised that [redacted] drove a Mercedes and probably financed it through bonuses received from such enrollment parties.

[redacted] advised that [redacted] and [redacted] would be in positions to furnish information concerning the flow of illegally gained funds.

[redacted] said that [redacted] should be contacted and interviewed regarding the time in 1980 that he went out personally at the direction of [redacted] and picked up 100 Student Aid Reports (SARS). [redacted] then brought those back to [redacted] but all were unsigned by the student. These students reportedly never entered class, therefore, their signatures had to be forged. This was done by Mr. and Mrs. [redacted] who currently own a school somewhere in Dayton, Ohio, and who is a disbarred attorney, [redacted] and [redacted], currently a bookkeeper for [redacted] said that [redacted] is approximately 300 pounds and would probably furnish information relative to this action.

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The following descriptive information was obtained from observation and interview:

Name: [redacted]

Race: White

Continuation of interview of [redacted]

, Page 4 *

Sex: Male
Date of birth: [redacted]
Place of birth: Middletown, Ohio
Height: 5'7"
Weight: 155 pounds
Hair: Brown
Eyes: Brown
Marital status: Married, wife [redacted]
Children: Two
Military service: None
Employment: Unemployed
Previous employment: [redacted]

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Residence: [redacted]

FBI

TRANSMIT VIA:
 Teletype
 Facsimile
 AIRTEL

PRECEDENCE:
 Immediate
 Priority
 Routine

CLASSIFICATION:
 TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 3/27/95

FM FBI WMFO (46A-WF-179870 SUB UU) (P)

TO FBI CINCINNATI/ROUTINE/

BT

UNCLAS

CITE: //3920//

SUBJECT: BIG BOUNCE; MAJOR CASE #55; OO:WMFO

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FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

ARMED AND DANGEROUS

RE 3/21/95 TELCALL BETWEEN SSA [REDACTED] CINCINNATI
 DIVISION, AND SA [REDACTED], WMFO DIVISION, NVMRA,
 AND PREVIOUS COMMUNICATIONS BETWEEN WMFO AND CINCINNATI ON
 THIS MATTER.

FOR INFORMATION OF CINCINNATI, ON 2/22/95, SUBJECTS [REDACTED]
 [REDACTED] AND FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS
 WERE INDICTED ON CRIMINAL CHARGES, INCLUDING BRIBERY AND
 CONSPIRACY. THEY WERE ARRESTED ON 2/23/95. [REDACTED] IS

46A-WF-179870 UU-255
27 27

Approved: WILL P Original filename: 1e5004W.086
 Time Received: _____ Telprep filename: 1e500450.086
 MRI/JULIAN DATE: 1588|086 ISBN: 030
 FOX DATE & TIME OF ACCEPTANCE: 3|27|95 4:58 KUT

^APAGE 2 WMFO (46A-WF-179870 SUB UU) UNCLAS
SCHEDULED TO GO TO TRIAL ON 7/31/95 IN THE DISTRICT OF
COLUMBIA. LUKENS' TRIAL DATE HAS NOT YET BEEN DETERMINED.

DURING 1989, A LAWSUIT WAS FILED AGAINST [REDACTED]
SCHOOL, CAMBRIDGE TECHNICAL INSTITUTE (CTI) BY THE LEGAL AID
SOCIETY (LAS) IN CINCINNATI, OHIO. EVIDENCE CONCERNING THE
LAS SUIT AND [REDACTED] INVOLVEMENT WILL BE INTRODUCED AT
TRIAL. CONTACT WAS RECENTLY MADE WITH [REDACTED] THE LAS
ATTORNEY WHO HANDLED THE LAWSUIT AGAINST CTI. [REDACTED] AGREED TO
PROVIDE THE FBI WITH THE COMPLETE FILE OF THE LAS CASE AGAINST
CTI. A FORMAL WRITTEN REQUEST FOR THE RECORDS WAS MADE TO THE
LAS BY THE U.S. DEPARTMENT OF JUSTICE (DOJ). [REDACTED] HAS
RECEIVED THE REQUEST AND HAS AGREED TO COMPLY WITH IT. [REDACTED]
WAS ADVISED THAT A REPRESENTATIVE OF THE CINCINNATI FBI OFFICE
WILL BE IN CONTACT WITH HIM ABOUT TAKING POSSESSION OF THE
RECORDS. [REDACTED] ADVISED THAT THE LAS CASE FILE CONSISTS OF
APPROXIMATELY FOUR BOXES OF DOCUMENTS.

ADDITIONALLY, DURING REFERENCED TELCALL, THE POSSIBILITY
WAS DISCUSSED OF WMFO BORROWING CLOSED CINCINNATI CASE FILES
CI 213-11, 213A-CI-58003, AND ANY OTHER FILES INVOLVING
[REDACTED] HENRY WHITESELL, AND/OR CTI. CASE FILE CI 213-11

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[^]PAGE 3 WMFO (46A-WF-179870 SUB UU) UNCLAS

WILL BE MADE AVAILABLE FOR REVIEW BY FORMER FBI SPECIAL AGENT
(SA) [REDACTED] IN DAYTON, OHIO, PRIOR TO BEING PROVIDED TO
WMFO. [REDACTED] IS ASSISTING THE FBI IN PREPARATION FOR THE
TRIAL OF [REDACTED]

ANY QUESTIONS CONCERNING THE FOLLOWING LEADS CAN BE
DIRECTED TO SA [REDACTED] AT TELEPHONE NUMBER

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[REDACTED] OR PAGER [REDACTED]

LEADS:

CINCINNATI DIVISION:

AT CINCINNATI, OHIO:

1. WILL CONTACT [REDACTED] AT THE LEGAL AID SOCIETY
(LAS) [REDACTED] CINCINNATI, OHIO, TELEPHONE NUMBER
[REDACTED] AND MAKE ARRANGEMENTS TO TAKE POSSESSION OF
THE LAS CASE FILE REGARDING ITS LAWSUIT AGAINST CAMBRIDGE
TECHNICAL INSTITUTE (CTI). WILL SEND THE LAS RECORDS TO THE
FBI, WMFO, NORTHERN VIRGINIA METRO. RESIDENT AGENCY, 7799
LEESBURG PIKE, SUITE 200, SOUTH TOWER, FALLS CHURCH, VIRGINIA
22043, TELEPHONE NUMBER ([REDACTED]) ATTENTION: SA [REDACTED]
SQUAD C-9.

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[^]PAGE 4 WMFO (46A-WF-179870 SUB UU) UNCLAS

2. WILL CONTINUE EFFORTS TO ARRANGE TO PROVIDE WMFO WITH
CINCINNATI CASE FILE CI 213A-11 (FOLLOWING THE REVIEW OF THIS
FILE BY FORMER SA [REDACTED], 213A-CI-58003 AND ANY OTHER
CINCINNATI FILES INVOLVING [REDACTED] HENRY WHITESELL,
AND/OR CTI.

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ARMED AND DANGEROUS.

BT

Memorandum



To : ADIC, WMFO (46A-WF-179870, SUB UU) Date 4/3/95

From : SA [redacted] (C-9)

Subject: BIG BOUNCE;
MAJOR CASE #55;
OO: WMFO

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FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

On 3/29/95, [redacted] and [redacted] representing [redacted] came to the FEDERAL BUREAU OF INVESTIGATION (FBI), Northern Virginia Metro Resident Agency, 7799 Leesburg Pike, Falls Church, Virginia, for the purpose of reviewing evidence pertaining to the government's case against [redacted] and [redacted] are part of the lawfirm of SHAUGHNESSY, BOROWSKI, and GAGNER, 1155 15th Street, N.W., Suite 502, Washington, D.C. 20005, telephone number [redacted]. Included in the evidence made available for examination by [redacted] and [redacted] were the following:

1. Approximately 17 boxes of records provided to the FBI by the U.S. DEPARTMENT OF EDUCATION (DOE).
2. Approximately six boxes of records provided to the FBI by [redacted]
3. Numerous bank records of CAMBRIDGE TECHNICAL INSTITUTE (CTI).
4. Various records from bank accounts and credit card accounts held by [redacted]
5. Records pertaining to travel taken by [redacted]
6. Numerous telephone toll records.
7. Records from regulatory organizations relating to CTI.
8. Records from loan guarantee organizations relating to CTI.

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1 - WMFO (46A-WF-179870, SUB UU)
CWS/cws

46A-WF-179870 Sub UU
APR 7 1995
APR 25 1995
APR 05 1995

by

9. Records pertaining to lawsuits filed against CTI and other entities.
10. Approximately five boxes of records provided by [redacted] pursuant to subpoena.
11. Records regarding CTI provided by former CTI employees.
12. Other various items.

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Memorandum



To : ADIC, WMFO (46A-WF-179870, SUB UU) Date 4/3/95

From : SA [redacted] (C-9)

Subject: BIG BOUNCE;
MAJOR CASE #55;
OO: WMFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

On 3/30/95 [redacted], the attorney representing former U.S. Congressman DONALD E. "BUZ" LUKENS, came to the FEDERAL BUREAU OF INVESTIGATION (FBI), Northern Virginia Metro Resident Agency, 7799 Leesburg Pike, Falls Church, Virginia, for the purpose of reviewing evidence pertaining to the government's case against LUKENS. Included in the evidence made available for examination were the following:

1. Approximately 17 boxes of records provided to the FBI by the U.S. DEPARTMENT OF EDUCATION (DOE).
2. Approximately six boxes of records provided to the FBI by [redacted]
3. Numerous bank records of CAMBRIDGE TECHNICAL INSTITUTE (CTI).
4. Various records from bank accounts and credit card accounts held by LUKENS.
5. Records pertaining to loans received by LUKENS.
6. Records pertaining to travel taken by LUKENS.
7. Numerous telephone toll records.
8. Records from regulatory organizations relating to CTI.
9. Records from loan guarantee organizations relating to CTI.
10. Records pertaining to lawsuits filed against CTI and other entities.

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1 - WMFO (46A-WF-179870, SUB UU)
CWS/cws

46A-WF-179870 Sub UU
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11. Approximately five boxes of records provided by
[redacted] pursuant to subpoena.

12. Records regarding CTI provided by former CTI b6
employees. b7C

13. Other various items.

FBI

C-9

C-2

TRANSMIT VIA:

Teletype
 Facsimile
 AIRTEL

PRECEDENCE:

Immediate
 Priority
 Routine

CLASSIFICATION:

TOP SECRET
 SECRET
 CONFIDENTIAL
 UNCLAS E F T O
 UNCLAS

Date 4/4/95

TO : SAC, WMFO (46A-WF-179870 SUB UU)
 FROM : SAC, CINCINNATI (46A-WF-179870) (P)
 SUBJECT : BIG BOUNCE; MAJOR CASE #55;
 OO: WMFO

ARMED AND DANGEROUS

Re WMFO teletype to Cincinnati, 3/27/95.

On April 3, 1995, [REDACTED] Legal Aid Society, 901 Elm Street, Cincinnati, Ohio, provided four boxes of records regarding its lawsuit against the Cambridge Technical Institute (CTI).

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These records are being forwarded directly to the Northern Virginia Metro Resident Agency, Attention: SA [REDACTED], Squad C-9.

Additionally, Cincinnati files 213-11 and 213A-CI-58003 are being forwarded directly from the Dayton Resident Agency to SA [REDACTED] at the Northern Virginia Metro Resident Agency.

Investigation continuing.

② - WMFO
 2 - Cincinnati
 JLK:jlk
 (4)

46A-WF-179870 Sub UU-
 258

[REDACTED]	SEARCHED <i>[Signature]</i> INDEXED <i>[Signature]</i>
[REDACTED]	SERIALIZED <i>[Signature]</i> FILED <i>[Signature]</i>
APR 7 1995	

Approved: *JHJ*

Transmitted

(Number) (Time)

Per

Memorandum



To : ADIC, WMFO (46A-WF-179870, SUB UU) (PDate 4/25/95

From : SA [redacted] (C-9)

Subject: BIG BOUNCE;
MAJOR CASE #55;
OO: WMFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

Re 4/21/95 conversation with [redacted]

For information, the above-captioned matter is scheduled to go to trial on 7/31/95. As part of the pre-trial discovery process, the attorneys for defendant [redacted] have requested the production of approximately 39 computer disks provided to the FBI by a cooperating witness (CW). On 4/19/95, the disks were turned over to Computer Specialist [redacted] [redacted] for duplication. [redacted] was able to copy 37 of the disks without any problems. However, two of the disks had read errors, and she was unable to produce an exact image of the disks. [redacted] contacted SA [redacted] who agreed to examine the computer disks and determine whether they could be accurately duplicated for the defense attorneys. It is requested that SA [redacted] review the disks and, if possible, make duplicate copies for [redacted] attorneys. Any questions can be directed to SA [redacted]. at extension 6304 or pager [redacted]
[redacted]

b6
b7c

4 - WMFO
1 - SA [redacted]
1 - [redacted]
1 - [redacted]
① - 46A-WF-179870, SUB UU
CWS/cws

46A-WF-179870 UU- 259

SEARCHED [initials]
SERIALIZED [initials]
APR 26 1995
FBI - [redacted]
[redacted] 103/BZ

Memorandum



To : ADIC, WMFO (46A-WF-179870, SUB UU) (Date) 4/26/95

From : SA [redacted] (C-9)

Subject: BIG BOUNCE;
MAJOR CASE #55;
OO: WMFO

FORMER U.S. CONGRESSMAN DONALD E. "BUZ" LUKENS

b6
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For information, on 4/12/95, pursuant to discovery process on the above-captioned matter [redacted]
[redacted], and [redacted] reviewed evidence at the FEDERAL BUREAU OF INVESTIGATION (FBI) Office at 7799 Leesburg Pike, Falls Church, Virginia under the supervision of SA [redacted]. On 4/13/95, [redacted] and [redacted] reviewed evidence at the FBI Office. The aforementioned individuals identified numerous items of evidence that they wished to have copied. The evidence was copied by the FBI during the following days. All items of evidence requested by [redacted] group were copied, with the exception of two computer disks (out of 39 requested) that the computer specialist had trouble copying. The two problem disks were provided to SA [redacted] for him to attempt to make copies of them.

On 4/21/95, SA [redacted] contacted [redacted] at telephone # [redacted] to let him know that, with the exception of the two problem computer disks, all of the evidence requested had been copied and was ready to be picked up. [redacted] indicated that his firm would probably not be able to pick up the evidence until Monday 4/24/95. He told SA [redacted] that he would call back with his plans for picking up the evidence.

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On 4/25/95, having not heard from [redacted] SA [redacted] called [redacted] firm and left a message that the evidence was available for pickup. Later that day, [redacted] called to say that someone would come by and pick up the evidence on 4/26/95.

(R)
O

On 4/26/95, [redacted] came to the FBI Office and received the evidence copied by the FBI. [redacted] was advised that copies of the two problem computer disks would be provided to him as soon as they are ready.

46A-WF-179870, SUB UU

[redacted] SEARCHED

[Signature] -260
APR 21 1995

① - WMFO (46A-WF-179870, SUB UU)
CWS/cws

[redacted] [Signature]

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

4/3/95

[redacted], DOB [redacted] was contacted at her place of employment, U.S. DEPARTMENT OF EDUCATION (DOE), Institutional Review Branch of the Office of Student Financial Assistance, 401 South State Street, Room 700, Chicago, Illinois 60605, telephone number [redacted] is an Institutional Review Specialist for the DOE and has been employed in that capacity for about four and one half years. She has been with the DOE since 1987. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] furnished the following information:

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[redacted] advised that she participated in a program review conducted by the DOE Institutional Review Branch at CAMBRIDGE TECHNICAL INSTITUTE (CTI) during August, 1990.

[redacted] informed that the program review of CTI was the first such review she had been involved in. She went on the program review as a trainee. [redacted] commented that she was basically trying to fit in and learn during the review. [redacted] advised that she conducted some file reviews during the program review. She identified [redacted] as the person in charge of the review at CTI. [redacted] informed that representatives from the State of Ohio also were involved in the program review.

[redacted] advised that correspondence between the DOE and CTI was generally handled between [redacted] and [redacted] for the DOE and HENRY WHITESELL and [redacted] for CTI.

[redacted] recalled that the DOE also had quite a bit of contact with WHITESELL's son, who worked at CTI, regarding the acquisition of records from CTI. [redacted] remembered WHITESELL's son bringing records to the DOE. WHITESELL's son brought the records directly to [redacted] who logged them in and documented their receipt. [redacted] was not sure of possible other CTI personnel who brought them records.

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[redacted] stated that CTI experienced delays in receiving requested documents and records from CTI. [redacted] also recalled that, when they did receive the desired records

(telephonically)

Investigation on 3/23/95 at Falls Church, Virginia File # 46A-WF-179870, SUB UUby S[redacted] Date dictated 4/3/95

46A-WF-179870, SUB UU

Continuation of FD-302 of [redacted], On 3/23/95, Page 2

from CTI, there were problems with CTI's documentation of attendance for students. She remembered the DOE reviewers discussing the possibility that CTI may have altered attendance records. [redacted] stated that they noticed things in the attendance records that were suspicious and not as they should have been.

[redacted] did not remember [redacted] being at CTI every day of the program review. She recalled that WHITESELL was there practically all the time.

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[redacted] advised that the DOE had very limited discussions at the CTI location where they were working during the program review. The DOE representatives thought their room might have been monitored by CTI. [redacted] remembered that DOE personnel made some insignificant comments about a minor problem with the building in which they were working. Within the next few days, the problem was corrected. The DOE reviewers felt that it was as if someone had overheard them talking about the problem. [redacted] stated that the DOE did not mention what hotel they were staying in, because they did not want that information overheard by CTI.

[redacted] stated that she was not involved in writing the report from the program review of CTI. She suggested that the program review report and [redacted] notes may be a source of valuable information about the review.



Memorandum

To : ADIC WMFO [redacted] (P) Date 3/20/95

From : SA [redacted] (C-9)

Subject : [redacted]

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Dates of Contact

2/15/95

File #s on which contacted (Use Titles if File #s not available)

46A-WF-179870, SUB UU

Purpose and results of contact

- NEGATIVE
- POSITIVE
- STATISTIC

(See attached insert)

Description of

Statistical Accomplishment

Title of Case

File No.

Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.

PERSONAL DATA

1 - [redacted]
1 - 46A-WF-179870, SUB UU

Init. CWS/cws
(2) - WMFO

46A-WF-179870, SUB UU
-262
APR 21 1995
FBI - MEMPHIS
m/g

See reverse side for statistics

46A-WF-179870, SUB UU
CWS/cws

On 2/15/95, [redacted] provided the following information to SA [redacted]

The Cooperating Witness (CW) advised that he/she and his/her landlord, [redacted] CW explained that he/she and [redacted] were [redacted]
[redacted]
[redacted]
[redacted]

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b7D

CW stated that there had been no recent attempts to contact him/her by [redacted], or [redacted] brother, [redacted]



Memorandum

To : ADIC WMFO [redacted] (P) Date 3/28/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact 2/23/95		
File #s on which contacted (Use Titles if File #s not available) 46A-WF-179870, SUB UU		
b6 _____ b7C _____ b7D _____		
Purpose and results of contact <input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE (See attached insert) <input type="checkbox"/> STATISTIC		
Description of Statistical Accomplishment	Title of Case	File No.
<p style="text-align: right;">[Signature]</p>		
<p>Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.</p>		
<p>PERSONAL DATA</p> <p style="text-align: right;">46A-WF-179870, SUB UU BZ BZ -263</p>		

1 [redacted]
 1 - 46A-WF-179870, SUB UU

Init. CWS/cws
(2) - WMFO

see reverse side for statistics

46A-WF-179870, SUB UU
CWS/cws

On 2/23/95, [REDACTED] was contacted and provided the following information to SA [REDACTED]

Cooperating Witness (CW) stated that he/she anticipates a visit from someone associated with [REDACTED] now that [REDACTED] has been indicted and arrested on federal criminal charges. CW suspects that [REDACTED] brother, [REDACTED] [REDACTED] will probably pay him/her a visit. CW suggested that [REDACTED] will get [REDACTED] or someone else to do his "dirty work."

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CW advised that [REDACTED] is a huge fan of ADOLPH HITLER. [REDACTED] other hero is AL PACINO's character in the movie The Godfather. CW commented that [REDACTED] always wanted to picture himself as a little mob boss.



Memorandum

To : ADIC WMFO [redacted] (P) Date 3/21/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact

2/17/95

File #s on which contacted (Use Titles if File #s not available)

46A-WF-179870, SUB UU

b6

b7C

b7D

Purpose and results of contact

NEGATIVE
 POSITIVE
 STATISTIC

(See attached insert)

Description of

Statistical Accomplishment

Title of Case

File No.

Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.

PERSONAL DATA

1 - 46A-WF-179870, SUB UU

1 -

Init. CWS/cws

(2) - WMFO

see reverse side for statistics

46A-WF-179870, SUB UU

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46A-WF-179870, SUB UU
CWS/cws

On 2/17/95 [redacted] furnished the following
information to SA [redacted]

[redacted]

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b7C
b7D



Memorandum

To : ADIC WMFO [redacted] (P) Date 4/3/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact 2/27/95		
File #s on which contacted (Use Titles if File #s not available) 46A-WF-179870, SUB UU		
[redacted] [redacted] [redacted]		
b6 _____ b7C _____ b7D _____		
Purpose and results of contact		
<input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> STATISTIC	(See attached FD-302)	
Description of Statistical Accomplishment	Title of Case	File No.
<p style="text-align: right;">[Signature]</p>		
<p>Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.</p>		
<p>PERSONAL DATA</p> <p>46A-WF-179870, SUB UU</p> <p>[Signature]</p> <p>-265</p>		

1 - [redacted]
1 - [redacted]
1 - 46A-WF-179870, SUB UU
Init CWS/cws
(3) - WMFO

see reverse side for statistics

[Signature]

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

3/7/95

[redacted] was telephonically contacted and provided the following information:

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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

b6
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2 2 2

(telephonically)

Investigation on 2/27/95 at Falls Church, Virginia File # 46A-WF-179870, SUB UU

by

SA

Date dictated

3/7/95

46A-WF-179870, SUB UU

Continuation of FD-302 of [redacted]

, On 2/27/95, Page 2

[redacted]

b6
b7C
b7D

CW stated that in one of the last conversations he/she had with [redacted] said that he and [redacted] were no longer living together.

CW suggested that [redacted] might have had someone spying on the Grand Jury location to see who was going in and out and who was possibly testifying on the case.

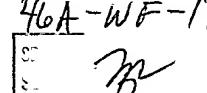
Memorandum



To : ADIC WMFO [redacted] (P) Date 4/4/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact	2/28/95	
File #'s on which contacted (Use Titles if File #'s not available)	46A-WF-179870, SUB UU	
<hr/> <hr/> <hr/>		
Purpose and results of contact	b6 b7C b7D	
<input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> STATISTIC	(See attached FD-302)	
Description of Statistical Accomplishment	Title of Case	File No.
<hr/> <hr/> <hr/>		
<u>Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.</u>		
PERSONAL DATA		46A-WF-179870, 

Information herein obtained confidentially; informant's name is not to be disclosed in a report or otherwise unless it has been definitely decided that this person is to be a witness in a trial or hearing.

PERSONAL DATA

1 - 46A-WF-179870, SUB UU
Init CWS/CWS
(3) WMEQ

see reverse side for statistics

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

3/8/95

[redacted] was telephonically contacted and provided the following information:

The Cooperating Witness (CW) advised that there was an article in the 2/28/95 edition of the Cincinnati Enquirer about the case involving former U.S. Congressman DONALD "BUZ" LUKENS and [redacted]. The article indicated that [redacted] had been "framed." The article mentioned that [redacted] had idolized LUKENS.

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[redacted] CW stated that he/she had saved the newspaper article and would send a copy of it to the FEDERAL BUREAU ON INVESTIGATION (FBI).

(telephonically)

Investigation on 2/28/95 at Falls Church, Virginia File # 46A-WF-179870, SUB UUby SA [redacted]Date dictated 3/8/95

06/01/95 13:26

202 616 2304

HOUSE BANK TF

601

HOUSE BANK TASK FORCE

U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530

FACSIMILE TRANSMISSION COVER SHEET
FAX NUMBER: 202-616-2304

SMITTED TO:

[Redacted]

DATE: 6/1/95

(Name)

FBI

(Organization)

202-616-2304

[Redacted]

b6
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(Telephone Number)

TRANSMITTED FROM:

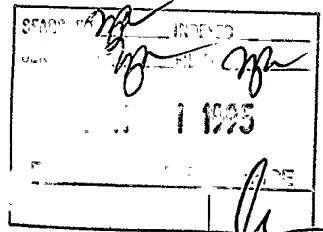
[Redacted]

SENT -
(including
sheet):

2

COMMENTS/REMARKS:

HQA-WF-1998/70 Sub Libr. 267



IF YOU DID NOT RECEIVE THE CORRECT NUMBER OF PAGES, PLEASE PHONE:
AND REQUEST RESUBMISSION.
202-616-2300



U. S. Department of Justice
Criminal Division

Washington, D.C. 20530

RV MESSENGER

June 1, 1995

Esq.
Shaughnessy, Borowski and Gagner
1155 Fifteenth Street, N.W.
Suite 502
Washington, D.C. 20005

Dear [redacted]

Re: United States v. [redacted]
Criminal No. 95-0042 GK

In addition to documents which we sent yesterday by messenger, we have enclosed two groups of documents in discovery in connection with the above-captioned case:

(1) materials which you requested from among the documents made available for your review. I understand from the FBI that the materials include documents received from the Ohio State Board of Proprietary School Registration and records received from the Department of Education. As soon as the remaining documents which you requested are copied, we will have them delivered;

(2) additional materials which we advised you of previously which were not part of the original discovery. This completes the discovery and copying of the materials which we advised were not part of the original discovery review.

Please send a check to this office, made payable to the Federal Bureau of Investigation, in the amount of \$311.00 (3110 pages at \$.10 per page, the rate published in the CFR for FOIA reproduction).

Very truly yours,

Senior Counsel
Criminal Division
House Bank Task Force
Room 2212
U.S. Department of Justice
Washington, D.C. 20530
[redacted]

b6
b7C

Memorandum

To : ADIC WMFO [redacted] (P) Date 5/17/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact

4/20/95

File #s on which contacted (Use Titles if File #s not available)
46A-WF-179870, SUB UU

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Purpose and results of contact

NEGATIVE
 POSITIVE
 STATISTIC

(See attached insert)

Description of**Statistical Accomplishment****Title of Case****File No.**

Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.

PERSONAL DATA

46A-WF-179870, SUB UU

JG JG -268

1 - [redacted]
 1 - 46A-WF 179870, SUB UU

Init. CWS/cws
 (2) - WMFO

see reverse side for statistics

46A-WF-179870, SUB UU
CWS/cws

On 4/20/95, [REDACTED] was telephonically contacted and provided the following information:

The Cooperating Witness (CW) stated that he/she had not been contacted recently by any attorneys or representatives of [REDACTED]

CW stated that he/she recently noticed a maroon pickup truck sitting near his house. CW thought the pickup truck resembled a truck driven by [REDACTED] brother, [REDACTED]
[REDACTED]

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on June 23, 1992

UNITED STATES OF AMERICA	:	CRIMINAL NO.	95-0042
	:	VIOLATIONS:	
v.	:	18 U.S.C. Section 371	
	:	(Conspiracy-two counts);	
	:	18 U.S.C. Section 201(b)(1)	
	:	(Bribery-four counts);	
JOHN P. FITZPATRICK	:	18 U.S.C. Section 2	
	:	(Aiding and Abetting);	
	:	18 U.S.C. Section 1623	
	:	(False Material Declaration-	
	:	two counts)	

I N D I C T M E N T

The Grand Jury charges that:

INTRODUCTION

At all times material to this indictment:

1. From in or about January, 1987, to in or about October, 1990, Donald E. "Buz" Lukens, was a member of the United States House of Representatives, representing the Eighth Congressional District in the State of Ohio.

2. During the period in or about January, 1988 to in or about October, 1990, the Cambridge Technical Institute (CTI), an Ohio corporation, operated technical schools in Ohio, with headquarters in Cincinnati, Ohio.

3. During the period in or about 1988 to in or about October, 1990, JOHN P. FITZPATRICK served as President and Secretary of CTI and as Director of Education and a member of the

95-0041

Board of Directors of CTI.

4. During the period in or about January, 1988 to in or about October, 1990, Henry Whitesell served as Chairman of the Board of Directors and Treasurer of CTI.

5. The U.S. Department of Education is a department of the United States government charged with the responsibility to administer and regulate various programs throughout the United States pertaining to student financial assistance.

6. During the period in or about 1988 to in or about October, 1990, CTI participated in financial assistance programs administered by the U.S. Department of Education.

7. As a participant in these financial assistance programs, CTI entered into Program Participation Agreements with the U.S. Department of Education pursuant to which CTI agreed to (1) comply with all program statutes and regulations; (2) use the funds advanced to CTI solely for the specified educational purposes; and (3) account properly for the funds CTI received.

8. To become eligible, and remain eligible, to participate in the financial assistance programs administered by the U.S. Department of Education, CTI was required to receive and maintain accreditation by a recognized accrediting agency or association approved for this purpose by the United States Secretary of Education. It was also a requirement that CTI be authorized by the State of Ohio to provide a program of secondary education. Loss of accreditation or license could lead to the loss of a school's eligibility to participate in the financial assistance programs administered by the U.S. Department of Education.

9. CTI was accredited by the Accrediting Council for Continuing Education and Training (ACCET). ACCET issued specific refund standards for the refund of unearned grant and loan funds.

10. CTI participated in the following financial assistance programs, administered and regulated by the U.S. Department of Education:

a. The Pell Grant Program

(1) CTI entered into a Program Participation Agreement with the U.S. Department of Education for the purpose of providing post-secondary education and clerical training, thereby becoming a duly authorized member of the Pell Grant Program under the supervision of the U.S. Department of Education. Pursuant to this agreement, CTI agreed, among other things, to determine the eligibility of students to receive Pell Grant Awards; to compute the amount of Pell Grants according to program regulations and payment schedules provided by the Secretary of the U.S. Department of Education; and to maintain records and to account for all Pell Grant funds.

(2) The purpose of the Pell Grant Program is to provide eligible students with financial assistance in meeting the costs of tuition and other expenses incurred as part of their post-secondary education. Eligible full-time students would qualify to receive Pell Grant awards through the educational institution only if enrolled and in good standing at the institution and attending the required hours of instruction.

(3) Eligible institutions can receive Pell Grant

funds for students at varying intervals. Institutions that receive disbursements in advance for students who do not enroll are obligated to return to the U.S. Department of Education the funds previously received.

b. Federally insured student loan programs

(1) The Stafford Loan program (Stafford), formerly known as the Guaranteed Student Loan program, provided federally insured loans at a low interest rate to help students meet their post-secondary educational expenses. The Stafford program, and other loan programs in which students at CTI participated, were not grant programs but programs that provided loans which the student was required to repay, with interest, after completing his or her education.

(2) Eligible students at CTI applied for these loans from banks with assistance of CTI employees. If the bank approved the application, the bank sent the check to CTI. CTI would obtain the student's endorsement on the check and deposit the check into a CTI account, crediting the student's account at CTI with payment for tuition and other expenses.

(3) The loans were guaranteed by various agencies and were reinsured against default by the United States. In the event the student defaulted on repayment of the loan, the guaranty agency paid the lender. The guaranty agency was reimbursed, in turn, by the U.S. Department of Education for a percentage of its loss, sometimes up to 100%. The loss would be borne by the United States. Guaranty agencies that participated

in guaranteeing student loans for CTI included, among others, the Higher Education Assistance Foundation, St. Paul, Minnesota; Great Lakes Higher Education Corporation, Madison, Wisconsin; and the Ohio Student Aid Commission, formerly the Ohio Student Loan Commission, Columbus, Ohio.

(4) Regulations of the U.S. Department of Education provided that a school participating in the guaranteed student loan programs was required to have a fair and equitable refund policy pursuant to which it was obligated to refund unearned tuition and fees for a student who had received a loan but had not enrolled or had not completed the academic period for which the loan was intended or made. The refund was made on behalf of the student to the lender who had made the guaranteed student loan. The result of a school's failure to pay a refund to the lending institution was that the federal government continued to guarantee or pay interest benefits on the un-refunded balance of the loan. If the school did not send the refund for unearned tuition and fees for a student who did not enroll or did not complete the academic period for which the loan was made, and the loan went into default, the loss would be borne by the United States.

11. In or about August, 1989, a civil lawsuit was filed in the Court of Common Pleas of Hamilton County, Ohio, by former students at CTI, against CTI, Incorporated, Henry Whitesell, JOHN P. FITZPATRICK, and others. The lawsuit alleged that CTI engaged in improper recruiting practices, in violation of applicable

regulations of the State of Ohio intended to protect consumers of proprietary school services. The plaintiffs were represented by the Legal Aid Society of Cincinnati, Ohio.

12. On or about May 16, 1990, the Higher Education Assistance Foundation (HEAF) notified CTI that CTI's application for recertification with the Higher Education Assistance Foundation, to assure HEAF's continued participation as a guaranty agency for student loans, was denied. HEAF listed the major factors as (1) late refunds; (2) high HEAF and cohort default rates; and (3) low graduation rate for ability to benefit students.

13. From on or about June 18, 1990, to on or about June 21, 1990, another guaranty agency, the Great Lakes Higher Education Corporation, conducted a review of student records at CTI, including a review of student loan files. The guaranty agency selected CTI for the review because of the high default rate on guaranteed student loans. CTI was informed in advance of the program review, by letter from the guaranty agency, on or about June 7, 1990.

14. On or about August 21, 1990, representatives of the U.S. Department of Education, along with representatives of the Ohio Student Aid Commission, one of the agencies that guaranteed student loans at CTI, began a program review of records of CTI, including student enrollment records and student aid records, at the Cincinnati and Dayton campuses of CTI.

COUNT ONE

[18 U.S.C. Sections 371 and 2]

THE CONSPIRACY AND ITS OBJECTS

15. Paragraphs one through fourteen of this indictment are realleged and incorporated in this count as though set forth in full.

16. Beginning at a date unknown to the grand jury but not later than November, 1988, and continuing thereafter until in or about October, 1990, in the District of Columbia, and elsewhere, the defendant JOHN P. FITZPATRICK, Henry Whitesell, and others known and unknown to the grand jury, aiding and abetting each other, knowingly and willfully conspired and agreed with each other:

(1) to defraud the United States, by impairing and impeding the lawful functions of the United States Department of Education in the official administration and regulation of programs pertaining to financial aid to students in post-secondary schools, including the Pell Grant Program and programs of federally insured guaranteed student loans; and

(2) with intent to deceive and defraud the United States, knowingly and willfully endeavored to influence, obstruct and impede representatives of the U. S. Department of Education in the performance of their official duties relating to a program review begun on August 21, 1990, of CTI, a corporation which received in excess of \$100,000 directly and indirectly from the United States in the preceding one-year period under a contract

with the U.S. Department of Education relating to its participation in Title IV funding for higher education students, in violation of Title 18, United States Code, Section 1516, in violation of Title 18, United States Code, Sections 371 and 2.

17. The goals of the conspiracy were:

(1) to defraud the United States, by impairing and impeding the United States Department of Education in connection with the Pell Grant Program and federally insured guaranteed student loan programs by concealing and covering up the fact that CTI had obtained or kept funds under the Pell Grant and guaranteed student loan programs to which it was not entitled; and

(2) to deceive and defraud federal officials who were examining CTI's books and student records relating to the Pell Grant and guaranteed student loan programs and to influence, obstruct and impede a program review of CTI in August and September 1990.

MANNER AND MEANS OF THE CONSPIRACY

18. It was part of the conspiracy that CTI would draw funds from the Pell Grant Program in advance of student enrollment.

19. It was part of the conspiracy that if enrollment did not justify the funds drawn by CTI, CTI would fraudulently keep the funds for CTI's use.

20. It was part of the conspiracy that guaranteed student loan refunds which CTI was obligated to make to lending institutions for students no longer enrolled, would be made late,

after the time period during which CTI was obligated to make the refunds, or, in some instances, were not made at all and CTI would keep the funds for CTI's use.

21. It was part of the conspiracy that CTI would direct employees to backdate letters transmitting some refunds to lending institutions.

22. It was part of the conspiracy that employees of CTI would assist students in applying for financial aid funds from the Pell Grant Program and from guaranteed student loan programs.

23. It was part of the conspiracy that defendant JOHN FITZPATRICK and Henry Whitesell would fail to make refunds to the U.S. Department of Education as required under the Pell Grant Program, and would disregard requests of employees of CTI that Pell Grant Program funds be returned to the U.S. Department of Education.

24. It was part of the conspiracy that defendant JOHN FITZPATRICK and Henry Whitesell would fail to make refunds to lending institutions as required by the U.S. Department of Education rules applicable to the Guaranteed Student Loan program and would disregard requests of employees of CTI that checks for guaranteed student loan refunds be signed and sent to lending institutions.

25. It was part of the conspiracy that defendant JOHN FITZPATRICK would make payments to Congressman Donald E. Lukens, who was a Member of the United States House of Representatives during this conspiracy, to seek assistance in matters affecting

CTI.

26. It was part of the conspiracy that defendant JOHN P. FITZPATRICK would seek the assistance of Congressman Donald E. Lukens during the program review conducted by the U.S. Department of Education to influence the U.S. Department of Education officials in the performance of their official duties.

27. It was part of the conspiracy that defendant JOHN P. FITZPATRICK and others known to the grand jury would stall representatives of the U.S. Department of Education and delay producing records which had been requested by the auditors and which CTI was obligated to produce for review.

28. It was part of the conspiracy that in or about the summer of 1990, prior to the U. S. Department of Education program review, defendant JOHN P. FITZPATRICK and others known to the grand jury would alter or create records to cover up the fact that CTI had improperly drawn or retained funds under the Pell Grant Program.

29. It was part of the conspiracy that during the program review by the U.S. Department of Education in August, 1990, defendant JOHN P. FITZPATRICK would direct employees of CTI to alter and create records, including but not limited to student attendance records and student financial aid records, with the intent to deceive the U.S. Department of Education officials and to impede the auditors in the performance of their official duties.

OVERT ACTS

30. In furtherance of the conspiracy and to effect the objects thereof, defendant JOHN P. FITZPATRICK and other coconspirators, both known and unknown to the grand jury, committed and caused to be committed various overt acts, in the District of Columbia, and elsewhere, including, but not limited to, the following:

(1) Defendant JOHN P. FITZPATRICK attended a meeting in or about November, 1988, at which an employee of CTI was asked if she would backdate letters to lending institutions to falsely make it appear that CTI was complying with the regulations requiring CTI to refund guaranteed student loan funds promptly for students no longer enrolled at CTI.

(2) Several weeks after the employee had refused to backdate letters from CTI to lending institutions, defendant JOHN P. FITZPATRICK fired the employee.

(3) In or about April, 1990, defendant JOHN P. FITZPATRICK and Henry Whitesell had a conversation about seeking Congressman Donald E. Lukens assistance in connection with the Legal Aid lawsuit filed in or about August of 1989.

(4) On or about May 1, 1990, Henry Whitesell gave a check made payable to Congressman Donald E. Lukens in the amount of \$7500 to JOHN P. FITZPATRICK.

(5) On or about May 1, 1990, defendant JOHN P. FITZPATRICK gave to Donald E. Lukens Henry Whitesell's check, and a check drawn on FITZPATRICK's account, made payable to Donald E.

Lukens in the amount of \$7500.

(6) On or about May 3, 1990, Congressman Donald E. Lukens deposited or caused to be deposited the Henry Whitesell and JOHN P. FITZPATRICK checks into his account at the House Bank.

(7) In or about April or May of 1990, Congressman Donald E. Lukens directed a member of the staff of his congressional office to assist defendant JOHN P. FITZPATRICK in a matter involving CTI.

(8) In or about May, 1990, defendant JOHN P. FITZPATRICK made numerous telephone contacts with Congressman Donald E. Lukens congressional office to obtain assistance from Lukens or his staff.

(9) In or about May or June, 1990, the defendant JOHN P. FITZPATRICK advised the legislative director of Congressman Lukens staff that "we have a lot invested in your boss."

(10) On or about June 18, 1990, defendant JOHN P. FITZPATRICK gave a check to Congressman Donald E. Lukens in the amount of \$2500, which Lukens deposited or caused to be deposited into his account at the House Bank.

(11) On or about June 18, 1990, defendant JOHN P. FITZPATRICK met with representatives of the Great Lakes Higher Education Corporation who were conducting a program review of CTI, including a review of student financial aid records.

(12) In or about July, 1990, Donald E. Lukens directed a member of the staff of his congressional office to inquire into

the status of the effort to assist defendant JOHN P. FITZPATRICK.

(13) On or about August 20, 1990, in the District of Columbia, defendant JOHN P. FITZPATRICK gave a check to Donald E. Lukens in the amount of \$5,000, which Lukens deposited or caused to be deposited into his account at the House Bank.

(14) On or about August 21, 1990, defendant JOHN P. FITZPATRICK traveled from Washington, D.C. to Ohio after he was advised of the unannounced U.S. Department of Education program review of CTI in Cincinnati and Dayton.

(15) On or about August 21, 1990, defendant JOHN P. FITZPATRICK directed an employee of CTI to meet with the defendant JOHN P. FITZPATRICK that evening in Cincinnati in connection with a program review begun that day by the U.S. Department of Education.

(16) On or about August 21, 1990, defendant JOHN P. FITZPATRICK and Henry Whitesell created false records, and directed employees of CTI to create false records, including student attendance records and student aid records, to deceive U.S. Department of Education officials conducting a program review of CTI, and to conceal from the officials of the U.S. Department of Education that CTI had fraudulently retained federal Pell Grant Program funds to which CTI was not entitled.

(17) During the program audit conducted by the U.S. Department of Education, defendant JOHN P. FITZPATRICK and other employees of CTI withheld documents from the auditors and presented documents containing false information for students

whose records had been requested by the auditors of the U.S. Department of Education.

(18) On or about August 21, 1990, the first day of the unannounced program review of CTI, Henry Whitesell ordered a CTI employee to refuse auditors from the Ohio Student Aid Commission, participating with auditors from the U.S. Department of Education, access to CTI records at the Dayton, Ohio campus. Henry Whitesell advised the auditors through the employee that defendant JOHN P. FITZPATRICK or Henry Whitesell wanted to be present if the auditors were to have access to CTI records.

(19) On or about August 22, 1990, defendant JOHN P. FITZPATRICK and Henry Whitesell withheld records properly requested by the U.S. Department of Education auditors so that these records could be sanitized and altered to conceal the fact that Pell Grant Program funds had been improperly drawn and retained by CTI and federally insured student loan funds had been improperly retained by CTI.

(20) On or about August 22, 1990, the second day of the program review, defendant JOHN P. FITZPATRICK, after CTI was advised by an official of the U.S. Department of Education that CTI could lose eligibility to participate in student aid programs if CTI continued to deny auditors access to records, granted access to some, but not all, CTI records requested at the Dayton campus.

(21) On or about August 22, 1990, the defendant JOHN P. FITZPATRICK met with members of the review team at

approximately 4:20 P.M. In that meeting defendant JOHN P. FITZPATRICK falsely stated to the auditors that certain records did not exist in order to avoid or delay turning them over to the auditors.

(22) On or about August 22, 1990, defendant JOHN P. FITZPATRICK, in a telephone conversation with Congressman Donald E. Lukens, asked Lukens for assistance in getting the U.S. Department of Education auditors off FITZPATRICK's back.

(23) On or about August 22, 1990, defendant JOHN P. FITZPATRICK, in a telephone call with an official at the U.S. Department of Education, advised that official that he and Lukens were close.

(24) In or about August, 1990, during the program review of CTI, defendant JOHN P. FITZPATRICK mentioned the name of Congressman Donald E. Lukens to representatives of the Ohio State Board of Proprietary School Registration participating in the program review of CTI.

(25) In or about August 1990, defendant JOHN P. FITZPATRICK told the auditors that the reason CTI records were not being timely produced was that he was undergoing chemotherapy treatment for cancer when in fact he did not have cancer.

(26) In or about August or September, 1990, defendant JOHN P. FITZPATRICK, directed an employee of the CTI to destroy certain original records of CTI pertaining to students whose records had been altered.

(27) In or about August or September, 1990, at the

direction of defendant JOHN P. FITZPATRICK, an employee of CTI destroyed CTI records pertaining to students whose records had been altered.

(28) In or about August, 1990, defendant JOHN P. FITZPATRICK falsely claimed to employees of CTI working under his direction creating false student records that he had contacted the authorities and that the authorities had advised that he and CTI employees should continue creating false records but maintain the original records.

(29) In or about September, 1990, defendant JOHN P. FITZPATRICK and employees of CTI removed student records, including student attendance records and student financial aid records, from the corporate offices of CTI to another location.

(30) In or about September, 1990, Henry Whitesell handed certain CTI records to a CTI employee and directed the employee to destroy the records.

(31) On or about September 23, 1990, defendant JOHN P. FITZPATRICK gave a check to Donald E. Lukens in the amount of \$5,000, which Lukens deposited or caused to be deposited into his account at the House Bank.

(Conspiracy, in violation of Title 18 United States Code, Sections 371 and 2.)

COUNT TWO

[18 U.S.C. Sections 371 and 2]

31. Paragraphs one through fourteen of this indictment are incorporated herein as though set forth in full.

THE CONSPIRACY AND ITS OBJECTS

32. From in or about April, 1990, and continuing thereafter to in or about September, 1990, the exact dates being unknown to the grand jury, in the District of Columbia, and elsewhere, the defendant JOHN P. FITZPATRICK and Donald E. Lukens, aiding abetting each other, knowingly and willfully conspired and agreed together and with Henry Whitesell, and with others both known and unknown to the grand jury, to:

(a) commit offenses against the laws of the United States, to wit: the giving and accepting of unlawful bribes to corruptly influence a public official in the performance of an official act, in violation of Title 18, United States Code, Section 201(b); and

(b) to defraud the United States of and concerning its right to the honest, conscientious, loyal, and faithful services, decisions, official acts, and performance of his duties by Donald E. Lukens, in his official capacity as a Member of Congress, representing the Eighth congressional district of Ohio, free from corruption and improper influence in the conduct of official acts as a member of the United States House of Representatives, including but not limited to, his dealings with the U.S.

Department of Education and other matters.

MANNER AND MEANS OF THE CONSPIRACY

33. It was part of the conspiracy that Henry Whitesell, and defendant, JOHN P. FITZPATRICK, agreed to give and did give money to Donald E. Lukens, to influence Donald E. Lukens, then a member of the U. S. House of Representatives, in the performance of an official act, to wit: to obtain assistance from Donald E. Lukens, in connection with matters pertaining to CTI.

34. It was further part of the conspiracy that Donald E. Lukens would solicit and accept payments from defendant JOHN P. FITZPATRICK, and deposit these payments into his account at House Bank in the District of Columbia.

35. It was further part of the conspiracy that in exchange for these payments Donald E. Lukens would direct members of his congressional office staff to assist defendant JOHN P. FITZPATRICK and CTI.

36. It was further part of the conspiracy that in exchange for these payments Donald E. Lukens would intercede on behalf of defendant JOHN P. FITZPATRICK with officials of the U.S. Department of Education.

OVERT ACTS

37. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the District of Columbia, and elsewhere:

- (1) In or about April or May, 1990, Donald E. Lukens directed a member of the staff of his congressional office to

assist defendant JOHN P. FITZPATRICK in a matter involving CTI.

(2) On or about May 1, 1990, Henry Whitesell gave a check made payable to Congressman Donald E. Lukens in the amount of \$7500 to defendant JOHN P. FITZPATRICK.

(3) On or about May 1, 1990, defendant JOHN P. FITZPATRICK gave to Donald E. Lukens the check from Henry Whitesell, and a check drawn on FITZPATRICK's account made payable to Donald E. Lukens in the amount of \$7500.

(4) On or about May 3, 1990, Congressman Donald E. Lukens deposited or caused to be deposited the Henry Whitesell and JOHN P. FITZPATRICK checks into his account at the House Bank.

(5) On or about June 18, 1990, defendant JOHN P. FITZPATRICK gave a check to Congressman Donald E. Lukens in the amount of \$2500, which Lukens deposited or caused to be deposited into his account at the House Bank.

(6) In or about July, 1990, defendant Donald E. Lukens directed a member of the staff of his congressional office to inquire into the status of the effort to assist JOHN P. FITZPATRICK.

(7) On or about August 20, 1990, in the District of Columbia, defendant JOHN P. FITZPATRICK gave a check to Donald E. Lukens in the amount of \$5,000, which Lukens deposited or caused to be deposited into his account at the House Bank.

(8) On or about August 22, 1990, defendant JOHN P. FITZPATRICK, in a telephone conversation with Congressman Donald E. Lukens, asked Lukens for assistance in getting the U.S.

Department of Education auditors off Fitzpatrick's back.

(9) On or about August 22, 1990, Donald E. Lukens contacted an official of the U.S. Department of Education in an effort to assist defendant JOHN P. FITZPATRICK, in a matter involving the CTI.

(10) On or about August 22, 1990, defendant JOHN P. FITZPATRICK, in a telephone call with an official at the U.S. Department of Education, advised that official that he and Lukens were close.

(11) On or about August 22, 1990, defendant JOHN P. FITZPATRICK, after speaking with Donald E. Lukens on the telephone, said that Lukens was "on the tit" (of CTI).

(12) On or about September 23, 1990, defendant JOHN P. FITZPATRICK gave a check to Donald E. Lukens in the amount of \$5,000, which Lukens deposited or caused to be deposited into his account at the House Bank.

(Conspiracy, in violation of Title 18, United States Code, Sections 371 and 2.)

COUNT THREE

[18 U.S.C. Section 201(b)(1)]

38. Paragraphs one through fourteen of this indictment are incorporated herein as though set forth in full.

39. Between on or about the 1st day of May, 1990, and the 3rd day of May, 1990, in the District of Columbia, and elsewhere, defendant JOHN P. FITZPATRICK, directly and indirectly did corruptly give, offer and promise something of value, that is, \$15,000, to Donald E. Lukens, then an elected Representative in the United States House of Representatives, with the intent of influencing Donald E. Lukens in the performance of an official act, that is, to assist JOHN P. FITZPATRICK in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)-(1).

COUNT FOUR

[18 U.S.C. Section 201(b)(1)]

40. Paragraphs one through fourteen of this indictment are incorporated herein as though set forth in full.

41. On or about the 18th or 19th of June, 1990, in the District of Columbia, and elsewhere, defendant JOHN P. FITZPATRICK, directly and indirectly did corruptly give, offer and promise something of value, that is: \$2500, to Donald E. Lukens, then an elected Representative in the United States House of Representatives, with the intent of influencing Donald E. Lukens in the performance of an official act, that is, to assist JOHN P. FITZPATRICK in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)(1)).

COUNT FIVE

[18 U.S.C. Section 201(b)(1)]

42. Paragraphs one through fourteen of this indictment are incorporated herein as though set forth in full.

43. On or about the 20th or 21st day of August, 1990, in the District of Columbia, and elsewhere, defendant JOHN P. FITZPATRICK directly and indirectly did corruptly give, offer and promise something of value, that is, \$5,000, to Donald E. Lukens, then an elected Representative in the United States House of Representatives, with the intent of influencing Donald E. Lukens in the performance of an official act, that is, to assist JOHN P. FITZPATRICK in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)(1).

COUNT SIX

[18 U.S.C. Section 201(b)(1)]

44. Paragraphs one through fourteen of this indictment are incorporated herein as though set forth in full.

45. Between on or about the 23th day of September, 1990, and the 26th day of September, 1990, in the District of Columbia, and elsewhere, defendant JOHN P. FITZPATRICK directly and indirectly did corruptly give, offer and promise something of value, that is, \$5000, to Donald E. Lukens, then an elected Representative in the United States House of Representatives, with the intent of influencing Donald E. Lukens in the performance of an official act, that is, to assist JOHN P. FITZPATRICK in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)(1).

COUNT SEVEN

[18 U.S.C. Section 1623]

46. On or about the 9th day of November, 1994, in the District of Columbia, defendant JOHN P. FITZPATRICK, while under oath and testifying in a proceeding before Grand Jury 92-1, a Grand Jury of the United States in the District of Columbia, knowingly did make a false material declaration, that is to say:

At the time and place aforesaid the grand jury was conducting an investigation to determine whether violations of Title 18, United States Code, Section 201, bribery of a public

official, and Section 371, conspiracy to defraud the United States, had been committed and to identify the persons who had committed, caused the commission of, and conspired to commit such violations.

It was material to the aforesaid grand jury's investigation that the grand jury ascertain if defendant JOHN P. FITZPATRICK had sought assistance from Congressman Donald E. Lukens, then a Member of the U.S. House of Representatives, or from a member of the staff of Congressman Lukens's congressional office, during 1990.

At the time and place alleged, defendant JOHN P. FITZPATRICK appearing as a witness under oath at a proceeding before the grand jury knowingly made the following declarations in response to questions with respect to the material matter alleged in the paragraph above as follows:

"Q. Other than that call to Lukens in August of 1990, did you ever ask for any assistance from him or his office during that period of time beginning May 1st of 1990?

A. I asked questions. I asked two questions. I asked, one, and this was personal and Henry didn't even ask me to do this, I asked him how Legal Aid got their funding. I was just kind of curious.

* * *

Q. So other than those matters, you didn't ask for any assistance from Congressman Lukens or his office during that period of May 1, 1990, until the end of September of 1990?

A. I did get tickets to take my two boys through the White House.

Q. Anything else?

A. I got to meet Jett Williams.

Q. Anything else?

A. Not that I can think of.

* * *

Q. All right. Did you ever talk with Jarrell in Congressman Lukens' office?

A. I believe so, yes.

Q. About what?

A. I think I talked to him about a discharge.

Q. Larry Barnett's discharge?

A. Right. And I talked to him about, you know, if we went out and bought trucks and, Could you get postal contracts?" And they just told me, "No. It's tied up. Don't even ask."

Q. All right. Did you have occasion ever to talk with anyone else on Lukens' staff about anything?

A. Not that I can remember.

* * *

Q. So other than the testimony that you've given to the Grand Jurors here about those folks and the assistance that you asked for from Lukens or his office that you've identified, you did not ask for any other assistance from Congressman Lukens or his staff during the period 1989-1990.

A. Not that I can remember. I didn't ask anything.

* * *

Q. Right. And they said that's not going anywhere. Did you ever ask Lukens or his staff for any help regarding CTI other than

this one phone call where you said, "Can you find out what's going on?"

A. The only other thing that I asked him -- and it was for me personally because I didn't know how things were set up. I couldn't understand how Legal Aid operated, and I asked him how Legal Aid operated, where they got their money from, how -- because it -- and to this day it baffles me.

* * *

"Q. Other than the question about, "Where does Legal Aid get funding? How do they work?" did you ever ask either Lukens or his staff to help CTI out?

A. No.

Q. In any way?

A. No...."

* * *

The aforesaid underscored testimony of defendant JOHN P. FITZPATRICK, as he then and there well knew and believed, was false, in that, in or about April or May of 1990, defendant JOHN P. FITZPATRICK sought assistance from Congressman Donald E. Lukens, and his congressional office, in a matter involving CTI.

(False material declaration before the Grand Jury, in violation of 18 U.S.C. Section 1623)

COUNT EIGHT

[18 U.S.C. Section 1623]

47. On or about the 9th day of November, 1994, in the District of Columbia, defendant JOHN P. FITZPATRICK, while under oath and testifying in a proceeding before Grand Jury 92-1, a Grand Jury of the United States in the District of Columbia, knowingly did make a false material declaration, that is to say:

At the time and place aforesaid underscored the grand jury was conducting an investigation to determine whether violations of Title 18, United States Code, Section 201, bribery of a public official and Section 371, conspiracy to defraud the United States, had been committed, and to identify the persons who had committed, caused the commission of, and conspired to commit such violations.

It was material to the aforesaid grand jury's investigation that the grand jury ascertain if defendant JOHN P. FITZPATRICK had ever altered student records at CTI, or at any other institution participating in U.S. Department of Education student aid programs. At the time and place alleged, defendant JOHN P. FITZPATRICK appearing as a witness under oath at a proceeding before the grand jury knowingly made the following declarations in response to questions with respect to the material matter alleged in this paragraph as follows:

"Q. Before Henry asked you to alter these records when the auditors came, had you ever altered -- you personally, had you personally ever altered any records relating to student files?

A. Alter records knowing that it was wrong information I was putting down.

Q. Right. Yeah. "Altered," meaning --

A. No, no, no, no.

Q. --presented a false picture, not "altered" meaning updated, or something like that?

A. No. No. No. No. Prior to August of 1990, Henry Whitesell had never asked me to do anything like that.

Q. Ever in the history of your relationship?

A. No. He had never asked me to do anything like that.

* * *

Q. Had anyone else ever asked you to do this?

A. No. No. No. No.

Q. Had you ever done it on your own, whether anyone asked you to --

A. No. No.

Q. So until Henry came to you when the auditors showed up --

A. There wasn't any need to --

Q. Wait. Let me finish my --

A. -- because he only had 3,000 students.

Q. Let me finish my question, please. Until Henry came to you and asked your team to alter records, you had never altered records regarding student loans at CTI or anyplace?

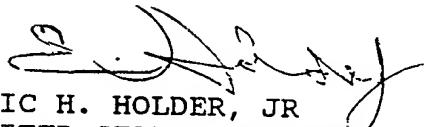
A. No, never knowing that was false information. Never."

The aforesaid testimony of defendant JOHN P. FITZPATRICK, as he then and there well knew and believed, was false, in that, during 1990, prior to the program review by the U.S. Department of Education, defendant JOHN P. FITZPATRICK altered student records to coverup CTI's fraudulent obtaining of federal funds from the Pell Grant Program, and during 1982, while employed as Director of Education at Southwestern College of Business, defendant JOHN P. FITZPATRICK, altered student records.

(False material declaration before the Grand Jury, in violation of 18 U.S.C. Section 1623).

A True Bill:

Foreperson



ERIC H. HOLDER, JR
UNITED STATES ATTORNEY
FOR THE DISTRICT OF COLUMBIA

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on June 23, 1992

UNITED STATES OF AMERICA

v.

DONALD E. LUKENS

:CRIMINAL NO. **95-0041**

:

:VIOLATIONS

:

:18 U.S.C. 201(b)(2)

:(Bribery-four counts)

:18 U.S.C. 371

:(Conspiracy-one count)

KESSLER, J. GK

I N D I C T M E N T

The Grand Jury charges that:

FEB 22 1992

INTRODUCTION

At all times material to this indictment:

1. From in or about January, 1987, to in or about October, 1990, the defendant, DONALD E. "Buz" LUKENS, was a member of the United States House of Representatives, representing the Eighth Congressional District in the State of Ohio.

2. During the period in or about January, 1988 to in or about October, 1990, the Cambridge Technical Institute (CTI), an Ohio corporation, operated technical schools in Ohio, with headquarters in Cincinnati, Ohio.

3. During the period in or about January, 1988, to in or about October, 1990, John P. Fitzpatrick served as President and Secretary of CTI, as Director of Education and as a member of the Board of Directors of CTI.

46A-WF-179870, SUB UU

32 32-270

[Handwritten signatures and initials]

4. During the period in or about January, 1988, to in or about September, 1990, Henry Whitesell served as Chairman of the Board of Directors and Treasurer of CTI.

5. In or about August, 1989, a civil lawsuit was filed in the Court of Common Pleas of Hamilton County, Ohio, by former students at CTI, against CTI, Incorporated, L. Henry Whitesell, and John P. Fitzpatrick, and others. The lawsuit alleged that CTI engaged in improper recruiting practices, in violation of applicable regulations of the State of Ohio intended to protect consumers of proprietary school services. The plaintiffs were represented by the Legal Aid Society of Cincinnati, Ohio.

6. On or about August 21, 1990, representatives of the U.S. Department of Education, along with representatives of other agencies, began a program review of student records, including student enrollment records and student aid records, at the Cincinnati and Dayton, Ohio campuses of CTI.

COUNT ONE

[18 U.S.C. Section 371]

7. Paragraphs one through six of this indictment are incorporated herein as though set forth in full.

THE CONSPIRACY AND ITS OBJECTS

8. From in or about April, 1990, and continuing thereafter to in or about September, 1990, the exact dates being unknown to the grand jury, in the District of Columbia, and elsewhere, the defendant, DONALD E. LUKENS, knowingly and willfully conspired and agreed with John P. Fitzpatrick and with others both known and unknown to the grand jury, to:

(a) commit offenses against the laws of the United States, to wit: the giving and accepting of unlawful bribes to corruptly influence a public official in the performance of an official act, in violation of Title 18, United States Code, Section 201(b); and

(b) to defraud the United States of and concerning its right to the honest, conscientious, loyal, and faithful services, decisions, official acts, and performance of his duties by defendant DONALD E. LUKENS, in his official capacity as a Member of Congress, representing the Eighth congressional district of Ohio, free from corruption and improper influence in the conduct of official acts as a member of the United States House of Representatives, including but not limited to his dealings with the U.S. Department of Education and other matters.

MANNER AND MEANS OF THE CONSPIRACY

9. It was part of the conspiracy that John P. Fitzpatrick and Henry Whitesell would make payments by check to defendant DONALD E. LUKENS, to influence defendant DONALD E. LUKENS, then a member of the U.S. House of Representatives, in the performance of official acts, to wit: to obtain assistance from defendant DONALD E. LUKENS, in connection with matters pertaining to CTI.

10. It was further part of the conspiracy that defendant DONALD E. LUKENS would accept payments from John P. Fitzpatrick and Henry Whitesell by check, and deposit the checks into his account at the House Bank.

11. It was further part of the conspiracy that defendant DONALD E. LUKENS would assign members of his congressional office staff the responsibility to assist John P. Fitzpatrick and CTI.

12. It was further part of the conspiracy that defendant DONALD E. LUKENS would intercede with officials of the U. S. Department of Education on behalf of John P. Fitzpatrick and CTI.

OVERT ACTS

13. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the District of Columbia, and elsewhere:

(1) On or about May 1, 1990, Henry Whitesell gave a check made payable to defendant DONALD E. LUKENS in the amount of \$7500 to John P. Fitzpatrick.

(2) On or about May 1, 1990, John P. Fitzpatrick gave Henry Whitesell's check, and a check drawn on Fitzpatrick's account made payable to defendant DONALD E. LUKENS in the amount of \$7500, to defendant DONALD E. LUKENS.

(3) On or about May 3, 1990, defendant DONALD E. LUKENS deposited or caused to be deposited the Henry Whitesell and John P. Fitzpatrick checks into his account at the House Bank.

(4) In or about April or May of 1990, defendant DONALD E. LUKENS directed a member of the staff of his congressional office to assist John P. Fitzpatrick in a matter involving CTI.

(5) In or about May, 1990, John P. Fitzpatrick made numerous telephone contacts with defendant DONALD E. LUKENS's congressional office to obtain assistance from Lukens's congressional office.

(6) On or about June 18, 1990, John P. Fitzpatrick gave a check to defendant DONALD E. LUKENS in the amount of \$2500, which LUKENS deposited or caused to be deposited into his account at the House Bank.

(7) In or about July, 1990, defendant DONALD E. LUKENS directed a member of the staff of his congressional office to inquire into the status of the effort to assist John P. Fitzpatrick.

(8) On or about August 20, 1990, in the District of Columbia, John P. Fitzpatrick gave a check to defendant DONALD E. LUKENS in the amount of \$5,000, which LUKENS deposited or caused

to be deposited into his account at the House Bank.

(9) On or about August 22, 1990, defendant DONALD E. LUKENS contacted an official of the U.S. Department of Education in an effort to assist John P. Fitzpatrick in a matter involving CTI.

(10) On or about September 23, 1990, John P. Fitzpatrick gave a check to defendant DONALD E. LUKENS in the amount of \$5,000, which LUKENS deposited or caused to be deposited into his account at the House Bank.

(Conspiracy, in violation of Title 18, United States Code, Section 371).

COUNT TWO

[18 U.S.C. Section 201(b)(2)]

14. Paragraphs one through six and 13(1) through 13(5) of this indictment are incorporated herein as though set forth in full.

15. Between in or about April, 1990, and the 3rd day of May, 1990, in the District of Columbia, and elsewhere, the defendant, DONALD E. LUKENS, while serving as an elected Representative in the United States House of Representatives, directly and indirectly did corruptly demand, seek, receive, accept, and agree to receive and accept something of value, that is, \$15,000, from John P. Fitzpatrick and Henry Whitesell, in return for and with the intent of being influenced in the performance of an official act, that is, to assist John P. Fitzpatrick in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)(2).

COUNT THREE

[18 U.S.C. Section 201(b)(2)]

16. Paragraphs one through six and 13(1) through 13(7) of this indictment are incorporated herein as though set forth in full.

17. On or about the 18th or 19th of June, 1990, in the District of Columbia, and elsewhere, the defendant, DONALD E. LUKENS, while serving as an elected Representative in the United States House of Representatives, directly and indirectly did corruptly demand, seek, receive, accept, and agree to receive and accept something of value, that is, \$2,500, from John P. Fitzpatrick, in return for and with the intent of being influenced in the performance of an official act, that is, to assist John P. Fitzpatrick in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)(2)).

COUNT FOUR

[18 U.S.C. Section 201(b)(2)]

18. Paragraphs one through six and 13(1) through 13(9) of this indictment are incorporated herein as though set forth in full.

19. On or about the 20th or 21st of August, 1990, in the District of Columbia, and elsewhere, the defendant, DONALD E. LUKENS, while serving as an elected Representative in the United States House of Representatives, directly and indirectly did corruptly demand, seek, receive, accept, and agree to receive and accept something of value, that is, \$5,000, from John P. Fitzpatrick in return for and with the intent of being influenced in the performance of an official act, that is, to assist John P. Fitzpatrick in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)(2).

COUNT FIVE

[18 U.S.C. Section 201(b)(2)]

20. Paragraphs one through six and 13(1) through 13(10) of this indictment are incorporated herein as though set forth in full.

21. Between on or about the 23rd day of September, 1990, and the 26th day of September, 1990, in the District of Columbia, and elsewhere, the defendant, DONALD E. LUKENS, while serving as an elected Representative in the United States House of Representatives, directly and indirectly did corruptly demand, seek, receive, accept, and agree to receive and accept something of value, that is, \$5,000.00, from John P. Fitzpatrick, in return for and with the intent of being influenced in the performance of an official act, that is, to assist John P. Fitzpatrick in matters involving CTI.

(Bribery, in violation of Title 18, United States Code, Section 201(b)(2).

A True Bill:

Foreperson

ERIC H. HOLDER, JR
UNITED STATES ATTORNEY
FOR THE DISTRICT OF COLUMBIA

U.S. Department of Justice



Federal Bureau of Investigation

In Reply, Please Refer to
File No.

1900 Half Street, SW
Washington D. C. 20535
June 8, 1995

Ms. [redacted]
Executive Director
State Board of Proprietary School Registration
35 East Gay Street
Suite 403
Columbus, Ohio 43266

b6
b7C

Dear Ms. [redacted]

On February 22, 1995, [redacted] who currently operates Bohecker's Business College in Ravenna, Ohio, was indicted on several criminal charges, including conspiracy to defraud the U.S. Department of Education. The trial of United States of America v. [redacted] is scheduled to begin on July 31, 1995.

The FBI recently developed information indicating that [redacted] former school, Cambridge Technical Institute (CTI) collected financial aid monies for individuals who were not actually in school at CTI. Enclosed is a list of students whose names are believed to have been used by CTI to make fraudulent draws of financial aid funds.

The FBI understands that the State Board of Proprietary School Registration (SBPSR) is in possession of approximately 144 boxes of records which include education and financial aid files pertaining to former CTI students. Special Agent (SA) [redacted] of our office recently conferred with [redacted] of the SBPSR concerning the acquisition of files pertaining to students named on the enclosed list. Mr. [redacted] indicated that the SBPSR could search for the appropriate student files and provide them to the FBI. Accordingly, the FBI respectfully requests that the SBPSR locate all files pertaining to former CTI students identified on the enclosed list and provide such records

1 - Addressee (Enc. 1)
① - WMFO
CWS:les
(2)

to the FBI. The records should be sent to the attention of SA [redacted] on Squad C-9 at the following address: FBI, 7799 Leesburg Pike, Suite 200, South Tower, Falls Church, Virginia 22043. Any questions can be directed to SA [redacted] at telephone number [redacted] [redacted] or digital pager [redacted]. Thank you for your assistance in this matter.

Very truly yours,

b6
b7C

W. Lane Crocker
Assistant Director in Charge

By: [redacted]
Acting Supervisory Special Agent

Enclosure



Memorandum

To : ADIC WMFO [redacted] (P) Date 5/18/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact 4/25/95		b6 _____
File #s on which contacted (Use Titles if File #s not available) 46A-WF-179870, SUB UU		b7C _____ b7D _____
_____ _____		
Purpose and results of contact <input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE (See attached insert) <input type="checkbox"/> STATISTIC		
Description of Statistical Accomplishment	Title of Case	File No. <i>[Handwritten signature]</i>
Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.		
PERSONAL DATA <i>46A-WF-179870, SUB UU</i> <i>272</i>		

1 [redacted]
 1 - 46A-WF-179870, SUB UU
 1 -

Init CWS/cws
(2) - WMFO

see reverse side for statistics

WJ/B

46A-WF-179870, SUB UU
CWS/cws

On 4/25/95, [REDACTED] was telephonically contacted and furnished the following information to SA [REDACTED]
JR:

The Cooperating Witness (CW) stated that he/she had been reviewing check files he/she had maintained on computer disks. During the review, CW ran across information he/she thought might be of value to the FEDERAL BUREAU OF INVESTIGATION (FBI) in its investigation of activities at CAMBRIDGE TECHNICAL INSTITUTE (CTI). CW advised that [REDACTED] was the Head of Admissions for CTI. [REDACTED] was formerly a preacher out of Cincinnati, Ohio. [REDACTED] was [REDACTED] boss. [REDACTED]

[REDACTED] was working under [REDACTED] at the time when she was involved in obtaining signature endorsements on Guaranteed Student Loan (GSL) checks by questionable methods. CW suggested that [REDACTED] might be worth talking to about CTI.

b6
b7C
b7D

CW identified [REDACTED] as an instructor at CTI. [REDACTED] was the Head of Private Security for the PS1 Class at CTI's school in Middletown, Ohio. [REDACTED] was a former Middletown Police Officer. [REDACTED] either quit or was fired by [REDACTED] CW recalled [REDACTED] warning him/her that he could "fuck over"

[REDACTED]

[REDACTED]

b6
b7C
b7D

CW identified [REDACTED] her husband [REDACTED] [REDACTED], and [REDACTED] as WHITESELL's "dirty workers."

CW recalled that CTI may have had some problems with the HIGHER EDUCATION ASSISTANCE FOUNDATION (HEAF) because of CTI's failure to make required refunds on a timely basis and because of CTI's high default rate.

CW remembered that CTI had some problems with the ACCREDITING COUNCIL FOR CONTINUING EDUCATION & TRAINING (ACCET) because of student complaints about the way the schools were

operating. CW thought ACCET may have threatened to revoke CTI's certification. CW advised that the acronym CNCE may have represented the organization that later became ACCET.

CW stated that he/she has not had any recent contact from [redacted] or any representative of [redacted]

b6
b7C



Memorandum

To : ADIC WMFO [redacted] (P) Date 4/28/95

From : SA [redacted]

Subject : [redacted]

b6
b7C
b7D

Dates of Contact
3/16/95
File #'s on which contacted (Use Titles if File #'s not available)
46A-WF-179870, SUB UU

Purpose and results of contact		
<input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> STATISTIC	(See attached insert)	
Description of Statistical Accomplishment	Title of Case	File No.
<p style="text-align: right;">JL</p>		

Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.

PERSONAL DATA

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SUB UU

JW JW

-273

1 [redacted]
 1 - 46A-WF-179870, SUB UU

1 -
 Init CWS/cws
 (2) - WMFO

see reverse side for statistics

MM/BG

46A-WF-179870, SUB UU
CWS/cws

On 3/16/95, [REDACTED] was telephonically contacted and provided the following information:

The Cooperating Witness (CW) advised that, prior to the U.S. DEPARTMENT OF EDUCATION (DOE) program review of CAMBRIDGE TECHNICAL INSTITUTE (CTI) in August, 1990, CTI experienced other audits and reviews. CW commented that no piece of paper went out of CTI to auditorsinspectors until either [REDACTED] or HENRY WHITESELL had looked at it.

CW recalled that the last audit of CTI by the ACCREDITING COUNCIL FOR CONTINUING EDUCATION & TRAINING (ACCET) was conducted at CTI's campus in Dayton, Ohio. CW suggested that [REDACTED] could provide additional details about that review.

b6
b7C
b7D



Memorandum

To : ADIC WMFO [redacted] (P) Date 4/28/95

From : SA [redacted] (C-9)

Subject : [redacted]

Dates of Contact	3/17/95		
File #s on which contacted (Use Titles if File #s not available)	46A-WF-179870, SUB UU	b6 b7C b7D	[redacted]
[redacted]			
[redacted]			

Purpose and results of contact

NEGATIVE
 POSITIVE
 STATISTIC

(See attached insert)

Description of
Statistical Accomplishment

Title of Case

File No.

Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.

PERSONAL DATA

46A-WF-179870, SUB UU

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1 -

1 -

1 - 46A-WF-179870, SUB UU

Init CWS/cws

(3) - WMFO

see reverse side for statistics

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

3/23/95

On 3/17/95, [redacted] was telephonically contacted and provided the following information:

[redacted]
[redacted]
[redacted]
[redacted]
[redacted]

b6
b7C
b7D

Investigation on 3/17/95 at Falls Church, Virginia (telephonically)
File # 46A-WF-179870, SUB UU
by SA [redacted] Date dictated 3/23/95



Memorandum

To : ADIC WMFO [redacted] (P) Date 6/1/95

From : SA [redacted] (C-9)

Subject : [redacted]

b6
b7C
b7D

Dates of Contact
4/26/95
File #s on which contacted (Use Titles if File #s not available)
46A-WF-179870, SUB UU

Purpose and results of contact

NEGATIVE
 POSITIVE
 STATISTIC

(See attached insert)

Description of
Statistical Accomplishment

Title of Case

File No.

Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.

PERSONAL DATA

46A-WF-179870, SUB UU

225

1 - [redacted]
 1 - 46A-WF-179870, SUB UU

Init CWS/cws
 (2) - WMFO

see reverse side for statistics

lm/bz

46A-WF-179870, SUB UU
CWS/cws

On 4/26/95, [redacted] was telephonically contacted by SA [redacted] and provided the following information:

[redacted]

b6
b7C
b7D

CW advised that the ASSOCIATION OF INDEPENDENT COLLEGES & SCHOOLS (AICS) was an accrediting agency used by CTI in addition to the ACCREDITING COUNCIL FOR CONTINUING EDUCATION & TRAINING (ACCET) (formerly CNCE). [redacted]

[redacted]



Memorandum

To : ADIC [redacted] (P) Date 6/2/95

From : SA [redacted] (C-9)

Subject : [redacted]

b6
b7C
b7D

Dates of Contact 5/1/95 File #s on which contacted (Use Titles if File #s not available) 46A-WF-179870, SUB UU		
Purpose and results of contact <input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> STATISTIC		
Description of Statistical Accomplishment		Title of Case <i>[Handwritten signature]</i>
		File No. <i>[Handwritten signature]</i>
Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.		
PERSONAL DATA		
<i>46A-WF-179870, SUB</i> <i>[Handwritten signatures]</i>		

1 - [redacted]
 1 -
 1 -
 1 - 46A-WF-179870, SUB UU
 Init CWS/cws
 (3) - WMFO

See reverse side for statistics

UU
-276

DR *DR*

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription

5/9/95

On 5/1/95, [redacted] was telephonically contacted
and provided the following information to SA [redacted]
[redacted]

[redacted]

b6
b7C
b7D

<u>Check #</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
[redacted]			

[redacted]

Investigation on 5/1/95 at Falls Church, Virginia (telephonically)File # 46A-WF-179870, SUB UUby SA [redacted] Date dictated 5/9/95

46A-WF-179870, SUB UU

Continuation of FD-302 of COOPERATING WITNESS, On 5/1/95, Page 2



b6
b7C
b7D



CW noticed several payments to [REDACTED] a placement agency. [REDACTED] was receiving \$4000 to \$6000 per year.

b6
b7C
b7D



46A-WF-179870, SUB UU

Continuation of FD-302 of COOPERATING WITNESS, On 5/1/95, Page 3

CW advised that [REDACTED] was a maintenance man for CTI's Cincinnati campus. [REDACTED] did a lot of "wheeling and dealing" for [REDACTED] and WHITESELL. CW thought [REDACTED] ended up in jail.

[REDACTED]

b6
b7C
b7D

CW mentioned that [REDACTED] and [REDACTED] did a lot of "funny" work for the CTI schools.

CW identified [REDACTED] as WHITESELL's son-in-law. [REDACTED] was the Campus Director for the BBC school in Covington, Kentucky.

CW stated that [REDACTED] was a telemarketer. [REDACTED] was possibly involved in a lawsuit against [REDACTED]. CW recalled that [REDACTED] won the suit.

CW identified [REDACTED] as [REDACTED] sister.

CW advised that [REDACTED] was an instructor who "rubbed elbows with the big boys."

CW stated that [REDACTED] worked closely with [REDACTED]. [REDACTED] uncle was possibly a judge.

b6
b7C
b7D



Memorandum

To : ADIC WMFO [REDACTED] (P) Date 6/6/95

From : SA [REDACTED] (C-9)

Subject : [REDACTED]

b6
b7C
b7D

Dates of Contact 5/8/95		
File #s on which contacted (Use Titles if File #s not available) 46A-WF-179870, SUB UU		
Purpose and results of contact <input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> POSITIVE (See attached FD-302) <input type="checkbox"/> STATISTIC		
Description of Statistical Accomplishment	Title of Case	File No.
<p style="text-align: right;">[Handwritten signature]</p>		
<p>Information contained herein was obtained confidentially. The informant's name is not to be disclosed in any form unless a conscious decision has been made to disclose his/her identity by an appropriate FBI official.</p>		
<p>PERSONAL DATA</p>		
<p>46A-WF-179870, SUB UU</p>		
<p>[Handwritten signatures]</p>		

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription

5/15/95

On 5/8/95, [redacted] was contacted and provided the following information to SA [redacted]

The Cooperating Witness (CW) cited an article in the 5/4/95 edition of the Middletown Journal newspaper regarding the criminal case against [redacted]. CW advised that [redacted]'s lawyer had made allegations of misconduct on the part of the government. [redacted] attorney claimed that, during 1990, the government refused to accept records from [redacted] concerning the situation at CAMBRIDGE TECHNICAL INSTITUTE (CTI), and that the government closed its investigation in 1992. [redacted] lawyer indicated that the government is now seeking revenge against [redacted] since he took his case to the CABLE NEWS NETWORK (CNN).

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[redacted]
CW provided, via facsimile, copies of the above-stated newspaper article as well as other articles he/she had collected pertaining to the cases involving [redacted] and former U.S. Congressman DONALD "BUZ" LUKENS. Copies of these articles are attached for incorporation herein.

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Investigation on 5/8/95 at Falls Church, Virginia (telephonically)

File # 46A-WF-179870, SUB UU

by SA [redacted] Date dictated 5/15/95

See "COURSE" ON PAGE

Fitzpatrick won't fight his extradition

By The Journal Staff
and the Associated Press

A Middletown man charged with bribing former U.S. Rep. Donald "Buz" Lukens has waived an extradition hearing in U.S. District Court and agreed to voluntarily appear in Washington, D.C., to face the charges.

John Fitzpatrick, 40, 4420 Nelson Road, appeared on Monday in Akron before U.S. Magistrate James S. Gallas on charges of bribery, conspiracy and lying to a grand jury.

Fitzpatrick was indicted last week and arrested at a condominium he owns near Kent. If convicted on all counts, he would face up to 70 years in prison and a \$1.5 million fine.

The indictment charged that Lukens took \$27,500 from Fitzpatrick and another businessman who were trying to keep the Cambridge Technical School in the federal student loan program.

The other businessman, Henry Whitesell, was shot and killed in 1990 in a phone booth in Cincinnati.

Lukens, a Republican formerly of Middletown, also was indicted last week. He was arrested in Dallas, where he now lives, on charges of bribery and conspiracy.

Lt. Greg Snider, commander of the Cincinnati Police Department homicide

unit, said Monday the 1990 Whitesell murder is considered an "open, unsolved case." The case has been worked on "extensively" during the last six months, he said.

Snider said of the murder investigation, and Lukens, "I can tell you; No, he's not a suspect. I can say that publicly."

The indictments do not change the nature of the Whitesell investigation, Snider said. Snider said his office has worked closely with the Cincinnati office of the Federal Bureau of Investigation on a "(criminal investigation) in some way related to Mr. Whitesell."

FBI legal counsel and media representative Ed Boldt said his office investigated Cambridge Tech for possible improper activities with federal grant money, but that investigation essentially ended with Whitesell's death.

"There never has been any connection we knew of between the bribes, Mr. Lukens and Whitesell's death," Boldt said Monday.

A spokesman for the Justice Department would only say: "The murder is being investigated by Ohio authorities."

Harvey Volzer, Lukens' attorney, said he has no reason to believe the federal investigation includes a murder probe.

Lukens' arraignment is scheduled for March 10.

Friday, March 17, 1995

The Middletown Journal—Page 2

Fitzpatrick's bribery trial to start July 31

Virginia Barazio
and Washington Bureau

WASHINGTON — A federal judge has set a July 31 trial date for the Middletown man accused of bribing ex-Rep. Donald E. "Dix" Lukens.

John P. Fitzpatrick pleaded guilty to charges of conspiracy, bribery, perjury and defrauding government student aid programs in U.S. District Court in Washington on Thursday.

Lukens, formerly of Middletown, pleaded not guilty to conspiracy and bribery charges last

week.

Fitzpatrick, who ran the now-defunct Cambridge Technical Institute with Henry Whitesell of Cincinnati, declined to talk to reporters after appearing before Judge Gladys Kessler. His attorney, Brian Shaughnessy, repeated claims that Fitzpatrick is innocent and said he will ask Kessler to dismiss the case.

Fitzpatrick, 40, 4420 Nelson Road, is charged with giving Lukens \$37,000 in 1990 in exchange for help with legal troubles at the trade school, which operated in Cincinnati, Dayton, Cleveland and Middletown. A grand jury indictment also im-

tally shot in Cincinnati in October 1990. The murder has never been solved.

Shaughnessy told the court that Fitzpatrick tried to alert government officials of questionable activities at Cambridge five years ago.

"He had learned Mr. Whitesell had been doing things Mr. Fitzpatrick thought were improper and so he went to the government," Shaughnessy said. Cable News Network did a story in January 1991 about the government's inaction, he said.

Shaughnessy said he intends to call witnesses from the Justice and Education departments

did nothing with the information Fitzpatrick brought forward.

The government alleges that Fitzpatrick and Whitesell conspired to keep Pell grant and student loan funds for students who never enrolled at Cambridge.

Fitzpatrick allegedly asked Lukens to intercede with an audit of the school's books by the U.S. Department of Education in August 1990. In return for that, along with help on a lawsuit filed against Cambridge by former students, Fitzpatrick gave Lukens five checks over a period of five months, the indictment says.

Fitzpatrick did not give Lukens the money, but rather that it was not intended as a bribe, Shaughnessy said.

The attorney has some experience making that argument. Last summer, Shaughnessy successfully defended a Wickliffe, Ohio, man against unrelated charges of bribing Lukens. In that case, the defense argued that no reasonable person would attempt to bribe Lukens in 1990.

Lukens returned to the Congress in disgrace in October 1990, after being found guilty of having sex with a minor and losing his primary election. Shaughnessy said he plans to call him as a defense witness.

Lukens declares innocence

By The Associated Press

For former Ohio Reps. Donald Lukens and Mary Rose Oakar, Friday was a day for waiting. Indicted on corruption charges in separate cases, the one-time colleagues were in the hands of lawyers and schedulers in separate judicial offices in the same federal courthouse in Washington.

Both are fighting the charges. Oakar declared her innocence in a series of interviews in Cleveland; Lukens did the same through his attorney, Harvey Volzer.

Lukens, a Republican kicked out of office by voters in southwest Ohio in 1990, was arrested Thursday in Dallas on charges of accepting bribes in the months before he left Congress under a cloud of sexual misconduct allegations.

Oakar, a Democrat ousted by voters in northeast Ohio in 1992, was indicted a day earlier on a different set of charges, including converting public money to personal use and violating campaign finance laws that allow contributions of no more than \$1,000 per election.

Lukens and Oakar both must appear in U.S. District Court for the District of Columbia, where they were indicted by the grand jury impaneled to determine whether there was any criminal abuse of the former House of Representatives' bank. Their arraignment dates had not been scheduled as of Friday afternoon.

Lukens' case does not involve bad checks charges; rather, in the course of examining checks that moved through the House bank, a special Justice Department task force found transactions that now are the basis of bribery charges.

Ex-congressman Lukens faces federal bribery charges

By Katherine Rizzo

ASSOCIATED PRESS

WASHINGTON — Former Ohio Congressman Donald E. Lukens was arrested in Texas on Thursday on bribery charges.

His lawyer, Harvey Volzer, declared Lukens innocent.

"He will plead not guilty. He

will be defending it to the fullest extent," Volzer said.

Lukens, who resigned from Congress in disgrace in 1990, was noticed by a federal grand jury in Washington on charges of accepting \$75,000 from two Ohio businessmen in return for getting help for the trade school they operated.

His lawyer, Harvey Volzer, declared Lukens innocent.

"He will plead not guilty. He

Fitzpatrick of Middletown, was charged in a related indictment of conspiring to bribe Lukens and of conspiring to cover up a fraud involving government money.

The other businessman, Henry Whitesell, is dead, the Justice Department said.

Fitzpatrick and Whitesell ran

Institute. There is no telephone listing for the college.

The FBI took Lukens into custody in Dallas and Fitzpatrick in Kent, the department said.

If convicted of all counts, Lukens faces a maximum penalty of 65 years in prison and a \$1.25 million fine. Fitzpatrick would face a maximum penalty of 70 years in

prison and a \$1.5 million fine.

Both indictments stem from the government's investigation of the now-defunct bank. Lukens, 64, was one of lawmakers who ran up big numbers of bad checks on members-only account, but was not charged with criminal wrongdoing for any overdrafts.

from Capitol Hill to life in Dallas

CONTINUED FROM PAGE A1

over a Ravenna, Ohio, technical school manager in custody at Portage County Jail Friday. He was scheduled to appear for a bond hearing Monday morning.

Whitfield was found shot to death in a juke booth at Cincinnati's Lukens Playfield on Oct. 29, 1990, three weeks after the school was shuttered and four days after Lukens stepped down. Police have said there is nothing to indicate that Lukens was involved in the shooting.

The latest charges brought Lukens, who was convicted in 1989 of having sex with a 16-year-old girl, back into public scrutiny — the last thing he seems to want.

Lukens walked out of his apartment Friday morning wearing a tweed jacket and brown pants, his gray hair slicked down. His face, worn with age spots and wrinkles, turned gloomy when a reporter approached him. The reporter said he understood that Lukens might not want to speak with him; Lukens replied, "You've got that right."

By the time he started his black City Line New Yorker and pulled out of the lot, Lukens was wiping tears from his cheeks.

The indictments were another episode in a steep fall for Lukens, whose career in conservative politics had such promise. A man who once walked the marble hallways of the nation's Capitol now strolls the off-white stone buildings of the Suncrest Apartments. The penniless ex-politician, who receives an estimated \$37,000 a year, now

I saw all these pictures on the wall (in Lukens' apartment).

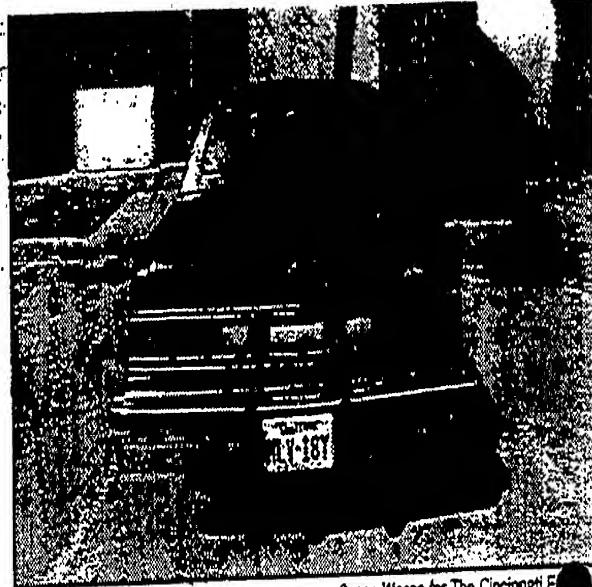
Everywhere pictures of politicians, a lot of important people. But he never mentioned it to me. Buz is nice to me, but he never tells me anything about himself.

— Rodney Grant,
maintenance man at
Suncrest Apartments

pers. \$415 a month for a small apartment in what residents call an increasingly bad neighborhood.

According to fellow Suncrest resident Jim Carlisle, 43, the area where Lukens lives is going downhill, despite its proximity to Dallas' famed tribute to wealth, the Galleria Mall. Crime is on the rise, Carlisle said, and a large apartment complex across the street from Suncrest has been closed.

Most people living in the complex said they never spoke with Lukens. Those who know him best are his immediate neighbors, Don



Susan Weeps for The Cincinnati Enquirer

Lukens' car sits Friday in the Dallas apartment complex where he lives. Neighbors say he is quiet and told no one about his past.

DiLts and Kelly Henderson, who knew nothing about Lukens' trial involving the 16-year-old, his resignation amid another sex scandal, or the nine days he subsequently served for his conviction. They couldn't believe their neighbor had once been a congressman and spent 30 years in public life.

"He never said anything about it," said Henderson, 31, as she fed her baby, Katie, Friday morning. "He just seemed like he had something in his past. It was like the elevator didn't go all the way up."

"He sort of seemed like he'd been a salesman or something," said DiLts, 27. "He sort of has that feel."

DiLts, who once noticed a picture in Lukens' apartment of the former congressman shaking hands with Richard Nixon, "figured Buz was some kind of fundraiser for Nixon once."

"He doesn't like to open the door for anybody," said DiLts. "When I knock, he always shouts, 'Who's there?' He seems kind of lonely."

The two described Lukens as a

sad old man who shuffles the windows of his apartment whenever he goes out. Recently, he told them he was going to Colorado for a while and offered them his foot.

Henderson thought Lukens didn't work, because he is home all the time. Lukens told the FBI that he is a political consultant; a lawyer said the former congressman has been too ill in recent years to hold down a job full time.

Grant, the maintenance man, did notice one or two signs of Lukens' former passion for politics. Much of his mail consists of political magazines, Grant said, and the walls of his apartment were lined with pictures of politicians.

"I was in there to fix a refrigerator once, and I saw all the pictures on the wall," Grant said. "Everywhere pictures of politicians, a lot of important people. But he never mentioned it to me. Buz is nice to me, but he never tells me anything about himself."

Julie Irwin contributed to this report.

Bribery charges denied



Lukens

Former technical school leader linked to Lukens by four checks

BY JULIE IRWIN

The Cincinnati Enquirer

AKRON, Ohio — John P. Fitzpatrick celebrated his 40th birthday Monday in an Akron federal court, four days after being charged with bribing former U.S. Rep. Donald "Buz" Lukens and more than four years after authorities first started investigating him.

The charges filed last week accuse Fitzpatrick, president of now defunct Cincinnati-based Cambridge Technical Institute, of student-loan fraud and of bribing Lukens in 1990 for help in keeping the school open. The school's owner, Henry Whitesell, was shot to death in October 1990.

Fitzpatrick maintains that he knew nothing of the fraud, and he says he has affidavits to support his claims that he went to authorities as soon as he

(Please see LUKENS, Page C4)

Lukens: Former president denies charges of bribery

CONTINUED FROM PAGE C1

learned of it.

He was released on \$100,000 bond Monday, and afterward hinted that he was being framed by authorities.

"I can't wait until we get to court, and we're going to win," said Fitzpatrick, who owns and operates a Ravenna, Ohio, business school. "There's more to this than meets the eye."

Fitzpatrick is accused of paying Lukens, formerly of Middletown, \$27,500 to help lobby Department of Education officials on behalf of Cambridge. The school was about to be kicked out of the federal student loan program because of apparent improprieties.

Lukens, also charged with bribery, remains free on his own recognizance after his arrest last week in Dallas, where he apparently has lived for the last two years. Lukens represented a congressional district reaching from Butler to Van Wert counties when his downfall began.

In 1989, he was convicted of contributing to the delinquency and unruliness of a minor, after a 16-year-old girl said she had had sex with him. Two years later, Lukens served nine days of a 30-day jail sentence for the delinquency conviction.

Fitzpatrick wrote the first of four checks to Lukens in May 1990, the indictment against him alleges. Fitzpatrick's attorney, Roger Staton, does not deny that his client gave money to Lukens. But Staton said that Fitzpatrick "idolized" the congressman and considered it a loan to help Lukens with his mounting legal bills. Fitzpatrick said after his court appearance Monday that he stopped drawing a check from Cambridge about this time.

The indictment alleges that Lukens then ordered members of his staff to assist Fitzpatrick with Cambridge matters, a notion scoffed at by Staton.

"According to attorneys I've talked to in Washington, at the time Buz Lukens got out [for a traffic ticket], said Staton,

"He had no influence."

At least six state and federal agencies, including the FBI and the U.S. Department of Education, began looking into Cambridge after reports that students were recruited in welfare lines to sign up for thousands of dollars in student loans. In mid-May of 1990, Cambridge lost its bid for recertification, which put its student-loan funds in jeopardy.

Officials from the Department of Education arrived unannounced in late August of 1990, to conduct an audit. According to the indictment, Fitzpatrick and Whitesell withheld attendance and aid records and called Lukens for help.

But a former Cambridge employee said in a sworn statement the following year that Fitzpatrick only learned of the fraud the day before Whitesell began plotting a cover-up for Department of Education officials.

The employee, Larry Barnett, said he, Fitzpatrick and other employees labored to keep the records intact, even as they were trying to convince Whitesell that they were cooperating with him. Fitzpatrick also contacted FBI and Department of Education officials to give them the original records, Barnett stated.

In less than two months, Lukens had resigned in disgrace after the sex scandal; Cambridge had been shut down — and Whitesell was found murdered in a phone booth.

Fitzpatrick's business associate, Jean K. Wise, who is running Boecker's Business College in his absence, rued the fact that Whitesell was not in court to explain the lingering mysteries.

Whitesell "was the owner and handled the financial aid," said Wise, who sold the school to Whitesell and Fitzpatrick in 1986. The school has never been the subject of any complaints or investigations. "If Henry were here today, he would be the one answering these questions."

claims misconduct in Lukens, CTI prob

from John P. Fitzpatrick that documented wrongdoing at the now-defunct Cambridge Technical Institute. In February 1992, the government closed its investigation of CTI, the motion says, only to reopen it after a separate investigation of the House bank uncovered checks to Lukens from Fitzpatrick, the former president of CTI.

"It appears that in 1994, when the House Bank Task Force pulled Congressman Lukens' bank records, new enthusiasm

for prosecution developed but no new or additional records were located," attorney Brian W. Shaughnessy wrote.

Fitzpatrick and Lukens, formerly of Middletown, have pleaded not guilty to all charges. Federal grand jury indictments returned in February accuse Lukens of accepting \$27,500 in 1990 in exchange for helping Fitzpatrick and CTI owner Harry Whitesell with legal troubles at the school.

Fitzpatrick also has been

charged with perjury and defrauding federal student aid programs. Court records show that a 1990 Department of Education audit found that CTI falsified Pell Grant records and failed to refund guaranteed student loans. The agency asked CTI to repay \$1.7 million.

Whitesell was shot to death in Cincinnati in October 1990 and the trade school closed shortly thereafter. It had operated campuses and branch offices in

Cincinnati, Dayton, Cleveland and Middletown.

According to the motion for dismissal, Fitzpatrick informed investigators in 1990 that Whitesell had employees alter and destroy CTI's Pell Grant and loan records.

After the government refused to accept his evidence, Fitzpatrick sent the records to the Ohio State Board of Proprietary Schools, "where they appeared to dissolve into disarray with the passage of time," the motion

says. Eventually, the records that remained were turned over to a grand jury.

The motion implies that government may have been seeking revenge against Fitzpatrick because he took his case to C-News Network.

The network broadcast a December 1990 news story critical of the government's efforts to combat fraud at trade schools.

Fitzpatrick's trial is set for June 31. No trial date has been set for Lukens, who lives in Dallas.

■ REGIONAL

Thursday, May 4, 1995

Lawyer claims misconduct

By Virginia Buriak
Journal Washington Bureau

WASHINGTON — An attorney for a Middletown man charged with bribing ex-Rep. Donald E. "Buz" Lukens and defrauding federal student aid programs has accused government investigators of misconduct and asked that the charges be dismissed.

A motion filed in federal court says that in 1990 the government refused to accept records

from John P. Fitzpatrick that documented wrongdoing at the now-defunct Cambridge Technical Institute. In February 1994, the government closed its investigation of CTI, the motion says, only to reopen it after a separate investigation of the House bank uncovered checks to Lukens from Fitzpatrick, the former president of CTI.

"It appears that in 1994, when the House Bank Task Force pulled Congressman Lukens' bank records, new enthusiasm

for prosecution developed but no additional records were located," attorney Brian W. Shanahan wrote.

Fitzpatrick and Lukens, formerly of Middletown, have pleaded not guilty to all charges. Federal grand jury indictments returned in February accuse Lukens of accepting \$27,500 in 1990 in exchange for helping Fitzpatrick and CTI owner Henry Whitesell with legal troubles at the school.

Fitzpatrick also has been

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